







456 Historic, Cultural, and Archaeological Resources

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Key to Icons

-  Memorandum of understanding, memorandum of agreement, or interagency agreement.
-  Reference document, such as a manual, book, or published article.
-  Permit or application for a permit, approval or certification.
-  Web site.*

456.01 Introduction

This section includes information needed for projects that will affect historic, cultural, and archaeological resources, including historic highway bridges. Requirements often overlap with those for projects affecting public lands, requiring a Section 4(f) evaluation ([Section 411.09](#) and [Section 455](#)). See also [Section 459](#) for related information on visual quality impacts.

Projects that involve impacts to historic or archaeological resources are subject to state and federal regulations. This section summarizes the compliance process and may also be used as guidance by consultants for typical projects where a consultant is employed.

It is WSDOT policy to avoid any adverse impacts, where practical, to cultural resources in planning, constructing, operating, or maintaining the state's transportation system.

These resources include prehistoric and historic archaeological sites, historic structures, and traditional cultural properties. If it is not practical to avoid adverse impacts, WSDOT will minimize and mitigate the impacts. This WSDOT policy is implemented by the federal Section 106 review process for all projects whether or not there is a federal nexus.

(1) Summary of Requirements

The major legislative mandates and requirements discussed in this section are:

Historic Properties – The Historic Preservation Act, Section 106, applies to transportation projects affecting a historic property listed on or eligible for listing on the National Register of Historic Places. Special provisions apply to use of historic bridges for highway projects.

Archaeological Resources – The Archaeological Resources Protection Act applies to projects affecting archaeological resources on Tribal or Federal land.

(2) Abbreviations and Acronyms

Abbreviations and acronyms used in this section are listed below. Others are found in the general list in the appendix.

ACHP	Advisory Council on Historic Preservation
CRS	Cultural Resource Specialist
OCD	Washington State Office of Community Development
OAHP	Office of Archaeology and Historic Preservation
SHPO	State Historic Preservation Officer
THPO	Tribal Historic Preservation Officer

(3) Glossary

See [Exhibit 456-1](#) for a glossary of terms related to historic, cultural and archaeological resources.

456.02 Applicable Statutes and Regulations

Projects that involve impacts to historic, cultural, or archaeological resources are subject to the state and federal regulations summarized below. Laws and regulations that apply to historic and archaeological sites on public lands are listed in [Section 455.02](#).

(1) National Environmental Policy Act/ State Environmental Policy Act

The National Environmental Policy Act (NEPA), 42 USC Section 4231, requires that all actions sponsored, funded, permitted, or approved by federal agencies undergo planning to ensure that environmental considerations such as impacts related to historic and cultural resources are given due weight in project decision-making. The State Environmental Policy Act (SEPA) mandates a similar procedure for state and local actions. Federal implementing regulations are at 23 CFR 771 (FHWA) and 40 CFR 1500-1508 (CEQ). State implementing regulations are in WAC 197-11 and WAC 468-12 (WSDOT). CEQ rules include sections on urban quality, historical and cultural resources, and the design of the built environment. For details see [Section 410](#) through [Section 412](#), particularly [Section 411.09](#).

(2) Federal

(a) Department of Transportation Act, Section 4(f), and Implementing Regulations

Protection of certain public lands and National Register eligible or listed historic properties was originally mandated in Section 4(f) of the 1966

Department of Transportation Act. This section was repealed in 1983 and later codified without substantive changes as 49 USC 303. However, it is still referred to as Section 4(f) in the FHWA Environmental Procedures (23 CFR 771) and popularly by many WSDOT staff.

Section 4(f) declares it a national policy to preserve, where possible, “the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites.” Highway projects can cross these special lands only if there is no feasible and prudent alternative and the sponsoring agency demonstrates that all possible planning to minimize harm has been accomplished. Visual resource mitigation may be required in certain instances as part of these plans. For details, see [Section 455.02](#).

(b) Historic Preservation Act, Section 106, and Implementing Regulations

The National Historic Preservation Act of 1966, as amended (16 USC 470f, Section 106), requires federal agencies including FHWA to take into account the effects of a project on properties included in or eligible for inclusion in the National Register of Historic Places. Prior to approving the project, the agency must give the Advisory Council on Historic Preservation a reasonable opportunity to comment. Federal agency heads must, to the maximum extent possible, complete planning and actions necessary to minimize harm to any National Historic Landmark.

This “Section 106 process” is designed to identify potential conflicts between the historic preservation concerns and the needs of federal agency undertakings, and to resolve such conflicts. The agency official must consult with the State Historic Preservation Officer (SHPO/THPO) and other interested persons during the early stages of planning. Properties must be adequately identified and considered. Historic bridges are one type of property likely to be impacted by transportation projects.

The implementing regulations of the Advisory Council on Historic Preservation, Protection of Historic Properties (36 CFR 800), focus on preservation options including avoidance, rehabilitation, modified use, marking, and relocation. New regulations took effect January 11, 2001.

 <http://www.achp.gov/>

Click on Working with Section 106.

Or by direct link:

 <http://www.achp.gov/work106.html>

(c) Surface Transportation and Uniform Relocation Assistance Act of 1987, Section 123(f)

In 1987, a new provision in Section 123(f) of this statute created a fund for preservation or mitigation of historic bridges (23 USC 144 (o)). It mandates that states give special consideration to rehabilitating, reusing, and preserving historic bridges. STURAA legislation makes funds which otherwise would have been used for bridge demolition available for actions to preserve a historic bridge or reduce the impact of a project on a historic bridge. For example, if a historic bridge can be retained by relocation, it could be part of a federal-aid proposal. Reasonable costs associated with relocation and preservation of the historic integrity of the bridge are eligible for reimbursement, under 23 USC Section 109(h) and Section 144, with reference to cost of demolition. See Section 456.05 (3) (f).

The application of this act is described in an FHWA memorandum, *FHWA Guidance on the Consideration of Historic and Archaeological Resources in the Highway Project Development Process*, (December 23, 1988). This document is online via FHWA's web site:

 <http://www.fhwa.dot.gov/>

Click on FHWA Programs, then Environment, then Environmental Guidebook, then Historical and Archaeological Preservation, then name of document.

Or by direct link:

 <http://www.fhwa.dot.gov/environment/guidebook/chapters/v2ch10.htm>

(d) DOT Design, Arts, and Architecture Program

To further implement NEPA, Sections 106 and 110 (16 USC 470(f)(h-2)) and Section 4(f), the U.S. Department of Transportation inaugurated its Design, Arts, and Architecture in Transportation Program in 1978. Outlined in DOT Order 5610.1C, revised Attachment 2, the program requires that environmental impact statements document the consideration of design quality in projects which involve public use areas or sensitive locations such as parks or historic districts.

(e) Intermodal Surface Transportation Efficiency Act (ISTEA)

ISTEA (1991) established a Transportation Enhancement Program (23 U.S.C. 101(g)-133(b)), which offers broad opportunities and federal dollars to take unique and creative actions to integrate transportation into communities and the natural environment. Eligible activities include: acquisition of scenic easements and scenic or historic sites, scenic or historic highway programs, landscaping and other scenic beautification, historic preservation, preservation of abandoned railway corridors (including the conversion and use for pedestrian or bicycle trails), control and removal of outdoor advertising.

Historic bridge preservation and rehabilitation projects qualify for federal funding under several enhancement categories. Funding may be used for specific transportation projects and also for preservation activities. This legislation provides for more flexible design standards in order to preserve historic structures.

(f) TEA-21 – Transportation Equity Act for the 21st Century (TEA-21)

The Transportation Equity Act for the 21st Century (TEA-21) continues the national transpor-

tation policy directions established by ISTEA. TEA-21 was enacted June 9, 1998 as Public Law 105-178. TEA-21 authorizes the Federal surface transportation programs for highways, highway safety, and transit for the 6-year period 1998-2003. The TEA 21 Restoration Act, enacted July 22, 1998, provided technical corrections to the original law.

ISTEA also mandated creation of a Scenic Byways Program (23 U.S.C. 101(g)-133(e)). FHWA has set criteria for designating scenic byways, based upon their scenic, historic, recreational, cultural, archaeological, and/or natural intrinsic qualities. For details on scenic byways, see FHWA's web site:

 <http://www.fhwa.dot.gov/>

Click on FHWA Programs, then Environment, then Environmental Guidebook, then Scenic Byways.

Or by direct link:

 <http://www.fhwa.dot.gov/environment/guidebook/chapters/v2ch14.htm>

For detail on transportations enhancements see:

 <http://www.fhwa.dot.gov/>

Click on FHWA Programs, then Environment, then Transportation Enhancements.

Or by direct link:

 <http://www.fhwa.dot.gov/environment/te.htm>

(g) Archaeological Resources **Protection Act**

The Archaeological Resources **Protection Act** of 1979 (ARPA) applies to archaeological resources on tribal lands and non-tribal lands under federal jurisdiction; for example: the Bureau of Land Management (BLM), National Park Services, or U.S. Army Corps of Engineers (COE). Under this legislation, WSDOT must apply for and obtain a permit when such resources could be impacted by a project (see **Section 456.06**).

(h) Other Related Federal Statutes

For references on the following other federal statutes relating to historic, cultural, and archaeological resources, see the glossary, **Exhibit 456-1**:

- American Indian Religious Freedom Act (1978)
- Antiquities Act (1906)
- Archaeological and Historic Preservation Act (1974)
- Archaeological Resources Protection Act (1979)
- Economic Recovery Tax Act (1981)
- North American Graves Protection and Repatriation Act (NAGPRA) (1990)
- Surface Transportation and Uniform Relocation Assistance Act (STURAA, 1987)
- Tax Reform Act (1986)

(3) State

The Abandoned and Historic Cemeteries Act (RCW 68.04-05) and Indian Graves and Records Act (RCW 27.44) protect Indian graves and historic cemeteries, making disturbance of such sites, without a permit, a Class C felony. **The Archaeological Sites and Resources Protection Act (RCW 27.53) protects archaeological resources.**

456.03 Policy Guidance

(1) Transportation Commission

The Transportation Commission's Policy Catalog contains specific policies on heritage resources in Section 6.3.9, which state that the transportation system's interest in preserving, enhancing, and interpreting heritage resources is to:

- Provide access and directional signing to resources identified by federal, tribal, state and local agencies.


- Assist in preserving and enhancing resources within transportation corridors or part of the travelling experience along a corridor.
- Avoid, minimize, or mitigate impacts of transportation projects on heritage resources.
- Cooperate in promoting heritage resources to aid tourism and achieve economic benefits.
- Commit state funding to leverage other funds to preserve, enhance, and interpret heritage resources within transportation corridors.

The policy and action strategies are online at WSDOT's web site:

 <http://www.wsdot.wa.gov/>

Click on Transportation Commission, then **Reports and Plans**, then Policy Catalog.

Or by direct link:

 <http://www.wsdot.wa.gov/commission/ReportsPlans/Catalog.pdf>

(2) WSDOT Roadside Classification Plan

Under this 1996 plan, WSDOT considers natural environment and heritage resources contained within the state highway roadides as valuable to roadside functions and a conspicuous symbol of the state's character. The plan gives implementation guidance for the design and maintenance of roadside treatments.

(3) Local Plans and Policies

City and county comprehensive plans and parks and recreation plans may contain policy and plan guidance on historic resources, sites, and/or structures of local importance. Local governments may also maintain inventories of historic sites. These documents should be considered in preparing the cultural resources section of environmental documents. See *Local Agency Guidelines* (M 36-63) Chapter 24.

 <http://www.wsdot.wa.gov/>

Click on Site Index, then H, then Highways and Local Programs, then LAG.

Or by direct links:

 <http://www.wsdot.wa.gov/TA/Operations/LAG/LAGHP.HTM>

 <http://www.wsdot.wa.gov/TA/Operations/LAG/>

456.04 MOUs, MOAs, PAs and IAs

(1) Nationwide Programmatic Agreement on Historic Properties

This agreement (**Exhibit 456-2**) is intended to reduce the time spent by state transportation agencies in implementing transportation enhancement activities, including historic preservation projects. However, the agreement is not mandatory, and state agencies are authorized to develop their own agreements (see below).



National Programmatic Agreement among the Federal Highway Administration (FHWA), National Conference of State Historic Preservation Officers (SHPOs), and the Advisory Council on Historic Preservation (ACHP) for Implementation of Transportation Enhancement Activities (June 11, 1997).

(2) State Programmatic Agreement on Historic Properties

A programmatic agreement (**Exhibit 456-3**) has been developed among the FHWA, WSDOT, Advisory Council of Transportation, and the WSHP Officer regarding implementation of Section 106 requirements for federal-aid highway projects in Washington.



Programmatic Agreement among the Federal Highway Administration, the Washington State Department of Transportation, the Advisory Council on Historic Preservation, and the Washington State Historic Preservation Officer

456.05 Technical Guidance

(1) **Discipline Report, Cultural Resources**

WSDOT's discipline report checklist for cultural resources is attached as [Exhibit 456-4](#).

If it is determined that an EIS is required under either NEPA or SEPA, the document should contain a discussion demonstrating that historic and archaeological resources have been identified and evaluated in accordance with the requirements of 36 CFR 800.4 for each alternative under consideration.

The information and level of effort needed to identify and evaluate historic and archaeological resources will vary from project to project as determined by the FHWA after considering existing information, the view of the State Historic Preservation Officer (SHPO) and the Secretary of the Interior's *Standards and Guidelines for Archaeology and Historic Preservation*.

The information for newly identified historic resources must be sufficient to determine their significance and eligibility for the National Register of Historic Places. The information for archaeological resources must be sufficient to identify whether each warrants preservation in place or whether it is important chiefly because of what can be learned by data recovery and has minimal value for preservation in place. Where archaeological resources are not a major factor in the selection of a preferred alternative, the determination of eligibility for the National Register of newly identified archaeological resources may be deferred until after circulation of the draft EIS.

(2) **Section 106 Compliance**

Except where noted, this procedure applies to all projects that may impact a historical or cultural

resource, regardless of funding source. Use the procedures below, along with the federal regulations, as guidance for Section 106 compliance. When designed to do so, determinations and agreements made under the Section 106 review process may also satisfy Section 4(f) requirements for historic properties. Refer to [Section 411.09](#) and [Section 455.05](#) for further information on Section 4(f) and Section 106 evaluations, particularly FHWA's programmatic Section 4(f) evaluations for historic sites and historic bridges. See also the Section 106 eligibility criteria in [Exhibit 456-5](#), the Section 106 regulations flow chart in [Exhibit 456-6](#).

(a) **Annual Review**

Each Region holds an annual meeting to review and identify proposed projects and construction programs for the next biennium that might affect historic properties. The meeting is set up by the WSDOT Environmental Affairs Office (EAO) Cultural Resources Specialist (CRS), and includes personnel from the Region Environmental and Project Development sections, an FHWA representative, an OAHP representative, and Tribal representatives.

In general, the review should include the projects: (1) for which new right of way will be required, (2) for which a stream or other watercourse enters or crosses the right of way, (3) which involve ground disturbance, or (4) where historic properties are known or believed likely to exist. The Region Environmental Manager and the CRS, in consultation with the FHWA, OAHP and Tribal representatives, identify those projects that require cultural resource studies.

(b) **Coordination**

Review the Programmatic Agreement (PA) dated July 18, 2000 that sets forth the process the FHWA/WSDOT /OAHP and the Advisory Council uses to meet their responsibilities for undertakings pursuant to Section 106. Determine whether your project constitutes an undertaking

or meets the exemption stipulations detailed in the PA. If the Region determines the project is included in one of the types of exempted activities listed in the PA, the Region must document this determination in the Environmental Review Summary. The Region must then coordinate with affected federal, state and local agencies, Tribe(s) and interested parties on the project.

If you are representing a local agency, work through your WSDOT Regional Highways and Local Programs Contact. Refer to the Local Agency guidelines Chapter 24 at:

 <http://www.wsdot.wa.gov/TA/Operations/LAG>

Effective June 1, 2001, as afforded under the revised 106 regulations, the FHWA delegated authority to WSDOT to conduct the initiation of consultation letters directly to the Tribes. Under previous regulations, this authority could not be delegated and the initiation of consultation had to come from the lead federal agency.

To begin the Section 106 process for a project, the Region initiates consultation by letter with the appropriate Tribal governments and includes project specific documentation. The Region should include sufficient copies of the documentation to provide two copies for each identified Tribe and a copy for FHWA. The documentation should contain a detailed project description, legal description, vicinity map, photos, ages of any structures present, if known.

If a response from the Tribe(s) is not received within thirty (30) days after the delivery date of the initiation of consultation letter, project development (i.e. compliance procedures proceeding the cultural resources study) will be allowed to move forward. Tribe(s) have 30 days to respond on whether they wish to participate in the proposed project or not. They do have the option, however, of entering consultation at a later date. Consultation with the Tribe(s) is encouraged throughout the project. Therefore, continue to keep them informed of the project, unless they have indicated they have no interest or concur with the proposed project.

The Region or CRS will assume the lead in conducting Section 106 consultation with the Tribal governments. FHWA is available to participate with a Tribe to the extent necessary, to ensure the Tribe's meaningful participation in the process.

The agency must coordinate with the SHPO/THPO and Tribe(s) to determine the Area of Potential Effects (APE) to historic properties within the project. Tribes must be given the opportunity to concur on the APE prior to survey. Meetings held on-site with the Tribes and consultant are an effective way to determine the APE, get Tribal involvement, thereby expedite the Section 106 process. It is extremely important to make a good faith effort to involve the Tribal parties early in the process

(c) Cultural Resources Study

After the annual review and early in the project development process, the Region should hire a cultural resources consultant to perform a cultural resources study. The Environmental Affairs Office (EAO) CRS has on-call consultant agreements that can be used to complete these duties. The survey must be conducted by a professional (consultant or in-house staff) who meets the Secretary of the Interior's Standards. The Region provides the consultant with a full description of the proposed project and its limits – staked on the ground and mapped, if possible – so that the survey can be conducted accurately. A background research through the records stored at OAHP is required.

The consultant prepares a summary report of the findings which:

- Includes a description of the proposed highway project.
- Specifies types of study tasks performed (e.g., archival research, ground survey methods) and the date of the survey.
- Documents the kinds of historic properties looked for and the effect the project might have on them.

- Identifies the project location, both in writing and illustrated on a map, showing the boundaries of the area surveyed.
- Describes the historic/ethnographic/prehistoric background of the area, as appropriate.
- Describes the geographic setting, including topography, land use, vegetation, ground surface conditions, and soil types.
- Gives results of the survey.
- Identifies any previously recorded historic properties in the vicinity that are listed in the National Register and other inventories.
- Identifies any historic properties found as a result of the survey and preferably includes a map or sketch of the locations of such resources. The consultant completes Washington State Site Inventory forms (available through the Office of Archaeological and Historic Preservation) for previously unrecorded archaeological sites and Historic Property Inventory Forms for historic structures that are identified during the survey and that are believed to be eligible for the National Register or other inventories. Complete site addendum forms for previously identified and recorded sites.
- Provides an opinion on the eligibility for the National Register of any historic properties potentially affected by the project, with a description of the properties and their specific locations and whether there is a need for further testing or evaluation to determine eligibility or evaluation.
- Recommends possible avoidance treatment, mitigation and measures to reduce adverse effects to potentially eligible historic properties.
- Provides bibliographic references.

The report should be prepared even if no historic properties are found during the survey, and should document places examined that did not contain historic properties. For additional information, refer to National Register Bulletin

No. 24: *Guidelines for Local Surveys: A Basis for Preservation Planning*, available through the CRS.

Once the survey is completed, the consultant submits the cultural resources survey report (including background research) to the Region with copies for the SHPO, all relevant tribes, and any other interested parties. In some cases, additional surveys or other field testing may be needed to identify and evaluate potential historic properties.

The CRS reviews the survey report and provides copies to the SHPO/THPO, and Indian tribes, and other interested parties as appropriate, to review and comment within thirty (30) days. SHPO coordination is required for federal aid projects, but it is done as a matter of course for all projects.

(d) National Register Eligibility

The CRS evaluates identified historic properties using the criteria of eligibility set forth in the Section 106 regulations. Depending upon the evaluation and the extent of the project's impacts, as well as any comments received, the CRS prepares forms for determining possible eligibility of any historic properties identified during the survey. If no historic properties are already listed or determined eligible for listing in the National Register, and the SHPO/THPO concurs (SHPO/THPO review is 30 days), the Section 106 review process concludes (unless unexpected cultural materials are located during project activities).

Section 106 gives equal treatment to historic properties that have already been included in the Register and those that are eligible for inclusion.

Criteria for determining eligibility for listing in the National Register of Historic Places are given in [Exhibit 456-5](#). For state-funded projects, the evaluation must include historic properties listed in or proposed for inclusion in the national, state (Washington Heritage Register), or local inventories of historic sites.

(e) Determination of Effect

If historic properties that are eligible for or already listed in the National Register are found in the project area, the CRS consults with the SHPO/THPO and the Region to determine what effect the project will have on the properties. The effect evaluation is based on the criteria of effect and adverse effect set forth in the Section 106 regulations. As part of this consultation, the CRS assists in determination of effect.

There are three possible effect determinations set forth in the Section 106 regulations (36 CFR 800.4 and 800.5):

(1) No historic properties affected

In this case, the CRS determines that either there are no historic properties present or there are historic properties present but the undertaking will have no effect upon them.

If there is no effect on historic properties, the CRS coordinates with the SHPO/THPO and provides documentation that supports the finding of no effect. If the SHPO/THPO concurs, the Section 106 review process is concluded (unless unexpected cultural materials are located during project activities. If this happens, halt work and contact the CRS/SHPO/THPO immediately).

(2) No Historic Properties are Adversely Affected

If the project will affect one or more historic properties, but the effect is not considered adverse, the CRS obtains the SHPO/THPO's concurrence with the finding of no adverse effect and notifies the FHWA (36 CFR 800.5(c)).

For state-funded projects, the CRS notifies the SHPO.

(3) Historic Properties are Adversely Affected

If there is an adverse effect on one or more historic properties, the CRS consults with the Region, the FHWA, the SHPO/THPO, interested persons, and the Council to resolve adverse effects by means of a Memorandum of Agreement (36 CFR 800.6).

For state-funded projects, the CRS consults with the Region, the OAHP, and interested parties on means to resolve adverse effects.

(f) Memorandum of Agreement

If an adverse effect will occur, a Memorandum of Agreement will be developed to resolve adverse effects. In the case of an archaeological site, mitigation of adverse effects usually involves excavation of the site and preparation and publication of a report of excavation. In the case of a standing structure, mitigation measures range from simple documentation to moving the structure. Other measures may be appropriate and would be developed, case-by-case, in consultation with the SHPO/THPO. The Region may initiate a request to the CRS for supplemental consultant work that will require additional funds and an extension of the consultant's schedule and scope of work.

WSDOT (Regional Environmental Manager and CRS), FHWA, SHPO/THPO, interested persons, and the Advisory Council on Historic Preservation confer to find ways to reduce/minimize adverse effects. Consultation will result in a Memorandum of Agreement (MOA) which outlines measures WSDOT will take to reduce, avoid, or mitigate the adverse effect. In some cases, the consulting parties may agree that no such measures are feasible, but that the adverse effects must be accepted in the public interest. The CRS, in consultation with the SHPO/THPO, the Council, interested parties, and the Region, will prepare the MOA. The Regional Environmental Program Manager signs the MOA for WSDOT.

The Advisory Council on Historic Preservation may either help develop the MOA by direct participation, or WSDOT, via the FHWA, can obtain Council comment by submitting the MOA to the Council for review and acceptance. The Council can accept the MOA, request changes, or opt to issue written comments.

If an MOA is executed, WSDOT proceeds with the project under the terms of the MOA. The executed MOA becomes part of the project's environmental documentation. In the absence of an MOA, the WSDOT, via the FHWA, must take into account the Council's written comments in deciding whether and how to proceed.

For state-funded projects, WSDOT should consider SHPO's comments in deciding how to proceed.

(3) Historic Bridges

Section 106 requirements, described in the previous section, also apply to many Washington State highway bridges that are significant for their historical, architectural, or engineering features. For additional Section 106 guidance see [Section 411.09 \(2\)](#), eligibility criteria in [Exhibit 456-5](#), and the regulations flow chart in [Exhibit 456-6](#).

For projects that may involve structural changes, removal and/or destruction of a historic highway bridge, it is also necessary to complete a Section 4(f) evaluation. When designed to do so, determinations and agreements made under the Section 106 review process can also satisfy Section 4(f) requirements. For guidance on Section 4(f) evaluations, see [Section 411.09 \(1\)](#), [Section 455.05 \(1\)](#), and [Section 456.05 \(4\)](#), particularly the references to FHWA's Programmatic Section 4(f) Evaluation on Historic Bridges.

Guidance is given in this section for each of the following alternatives: (1) preservation in place through repair, rehabilitation, and/or adaptive reuse; (2) sale or donation to a responsible party;

and (3) documentation and demolition. FHWA encourages preservation under the Intermodal Surface Transportation Efficiency Act (ISTEA) and Surface Transportation and Uniform Relocation Assistance Act (STURRA), which make federal funds available to states to rehabilitate and otherwise preserve bridges of historical and engineering significance (see [Section 456.02](#)).

See [Exhibit 456-7](#) for additional, detailed WSDOT guidance on rehabilitation of historic bridges. See [Exhibit 456-8](#) for the highway bridges currently listed in the National Register, eligible for listing, or nominated for listing; note that Category II bridges are covered under the July 18, 2000 Programmatic Agreement. [Exhibit 456-9](#) gives examples of historic bridge rehabilitation projects. [Exhibit 456-10](#) is a sample memorandum of agreement, required when a transportation project will affect a historic bridge.

(a) Applicability of Procedures

This guidance applies to historic bridges that are either listed in or eligible for listing in the National Register of Historic Places, or are listed as "Category II" bridges, and also are part of either a federal aid highway system or a state or local highway system. WSDOT policy is to follow these principles and guidelines even when no federal funds, licenses, or other assistance is required.

(b) Historic Bridge Inventory

[Exhibit 456-8](#) is the current inventory of publicly-owned highway bridges listed in, nominated to, or eligible for the National Register, as well as county and state Category II bridges. Almost all bridges in the inventory are over 50 feet long, since bridges shorter than that rarely have engineering or historical significance.

Category II bridges are bridges built before 1941 that are of local historic or engineering significance but not eligible for or listed in the

National Register. Before a Category II bridge is replaced, the Region arranges for large-format photographs to be taken of the structure. For guidance, see the Programmatic Agreement in [Exhibit 456-3](#) under Stipulation 4 on Historic Bridges. If commemorative plaques or markers are associated with the bridge, the Region usually arranges to donate these to the county or local historic preservation association or museum.

The Cultural Resources Specialist (CRS) in WSDOT Environmental Affairs Office (EAO) maintains the Historic Bridge Inventory for the state. The historic bridge inventory is updated regularly to facilitate long-range planning. To date, bridges built between 1941 and 1960 have been inventoried. The 2005 update will inventory bridges built from 1961 through 1965, and so on in five-year intervals.

In 1980, the State Office of Archaeology and Historic Preservation (OAHP), in cooperation with WSDOT and the Historic American Engineering Record (HAER) of the Department of the Interior, conducted a systematic inventory of historic bridges built prior to 1941 throughout Washington State. The inventory was authorized by the Surface Transportation Act of 1978 (Public Law 95-599) and funded by WSDOT and OAHP. In 1990, WSDOT updated the initial inventory to include bridges built between 1941-50 and in 2002 added bridges built between 1951-60.

(c) Assessing, Selecting, and Documenting Alternatives

Many historic bridges have become or are becoming structurally deficient, physically deteriorated, or functionally obsolete. In order to maintain the transportation network, these bridges often must be replaced with new bridges or rehabilitated to carry out their intended function safely. Sometimes it is feasible to build a replacement bridge on a new alignment, thereby bypassing the old bridge. However, when replacement bridges must be built on an existing alignment, the old bridge is either

demolished or moved to another location. Some bridges can be rehabilitated to meet modern structural standards and traffic requirements, while maintaining their historic character. To choose among these alternatives, the process outlined below is recommended. For further guidance on project scoping and preparation of environmental documentation, see [Section 320](#), [Sections 410-412](#), and [Section 455](#). For assistance, contact the Region Environmental Office or Environmental Affairs Office.

(1) Preliminary Assessment

Historic bridge rehabilitation and replacement projects can be complex and sometimes controversial. A preliminary planning meeting among representatives from the offices named below may facilitate the planning process.

- WSDOT Region Local Programs Office (if local agency project), Region Design Office, and Region Environmental Office, Bridge and Structures Office, or Environmental Affairs Office.
- State Office of Archaeology and Historic Preservation.
- FHWA (when the project involves federal funds).
- Tribal Historic Preservation Officer or other Tribal representatives

The meeting should occur after the need for the project and a proposed budget are identified. The purpose of the meeting is to discuss appropriate alternatives for the proposed project and eliminate alternatives that are not prudent or feasible.

(2) Review of Alternatives

A management review of possible alternatives should be held to determine whether sufficient information is available to reject some alternatives. If an alternative is selected that does not adversely impact historic features of the bridge, Section 4(f) procedures may not apply.

Alternatives with adverse impacts to the historic bridge:

- The existing bridge is demolished and replaced with a new bridge at the same location.
- Rehabilitation to the existing bridge impairs its historical integrity, as determined by procedures implementing National Historic Preservation Act. (See [Exhibit 456-5](#) for Section 106 Criteria.)

Alternatives that avoid adverse impacts to the historic bridge:

- Do nothing.
- Build a new structure at a different location without affecting the historic integrity of the old bridge, as determined by procedures implementing NHPA.
- Rehabilitate the historic bridge without affecting the historic integrity of the structure, as determined by procedures implementing NHPA.

(3) Determination of Effect

If historic bridges that are eligible for or already listed in the National Register are found in the project area, the CRS consults with the SHPO/THPO and the Region to determine what effect the project will have.

Known historic properties. Conduct a cultural resource analysis of alternatives to determine the effect of the project. (See [Section 456.05 \(2\)](#) for analysis guidelines and [Exhibit 456-5](#) for Section 106 Criteria). For historic bridges, the project manager, with the assistance of the Cultural Resources Specialist (CRS), assesses potential effects to the bridge according to the criteria of adverse effect.

Historic structure discovered during study. The CRS evaluates the historic structure using the criteria of eligibility and effect, and consults with the SHPO/THPO and the Region to consider ways to avoid or mitigate adverse effects. The Regional Environmental Program

Manager or CRS makes a determination of effect and requests concurrence from SHPO/THPO. If the effect is adverse and there is no prudent or feasible alternative, the CRS, FHWA, and SHPO/THPO develop a Memorandum of Agreement (MOA) to identify appropriate measures to mitigate adverse effects.

Determination of no adverse effect. If it is determined and documented that project alternatives do not adversely affect the historic integrity of the bridge, Section 4(f) procedures may not apply.

(4) Environmental Documentation – NEPA, 4(f), 106

When a bridge that is listed or eligible for inclusion in the National Register of Historic Places must be demolished, or when rehabilitation will impair its historic integrity, appropriate environmental documentation must be prepared. This may include an Environmental Impact Statement (EIS) or Environmental Assessment (EA), and Section 4(f) and Section 106 report (see [Section 411.09](#), [Section 455.05](#), and [Section 456.05 \(4\)](#)).

A MOA specifying measures to avoid or reduce the adverse effects of the project on the historic bridge, may be executed as a part of the environmental process. The MOA becomes part of the environmental document. (See [Exhibit 456-10](#) for a sample MOA.)

If the decision is made to select an alternative that has no effect on the historic bridge, document the conclusion in the Final Environmental Impact Statement.

(d) Preservation Alternatives

If a bridge remains in place, it may be preserved in three ways: by rehabilitation allowing continued highway use, by conversion to an alternate use, or by continued deterioration (either of the latter two options may constitute an adverse effect under 36 CFR FR 800.5).

(1) Rehabilitation

A bridge may be rehabilitated to maintain its historic features. Consider other alternatives only when on-site rehabilitation is neither feasible nor prudent. See [Exhibit 456-7](#) for detailed rehabilitation guidelines on structural upgrading, geometric modifications, and materials repair and maintenance. See [Exhibit 456-9](#) for examples of historic bridge rehabilitation projects, such as the Grays River Covered Bridge in Wahkiakum County, which was built in 1905 and rehabilitated in 1989.

The general rehabilitation guidelines below are summarized from *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* and TRB's *Guidelines for Rehabilitation of Historic Bridges* (available through WSDOT EAO's Cultural Resources Specialist).

- Make every reasonable effort to continue the historic bridge in useful transportation service. Give primary consideration to on-site rehabilitation.
- Respect the original historically significant qualities of a bridge, its site, and its environment. Avoid removing, concealing, or altering any historic material when possible. Avoid proposed alterations that have no historical basis and that seek to create a false historical appearance. Wherever possible, make additions or alterations in such a manner that their subsequent removal will not impair the essential form and integrity of the bridge.
- Changes that may have taken place in the course of time may be evidence of the history and development of a bridge, its site, and its environment. Recognize and respect that these changes may have acquired significance in their own right.
- Repair rather than replace deteriorated structural members and architectural details. If replacement is necessary, match new materials to original materials being

replaced in design, color, texture, and other visual qualities. Use surface cleaning techniques that will not damage historic materials.

- If rehabilitation is not possible, consider a nonvehicular (intermodal) transportation use of the structure at its original site or at a new location. This may involve marketing the structure to a responsible party for such an adaptive use. The marketing process is required in cases where demolition is proposed as an alternative. (See "Marketing" later in this section.)
- If the existing structure cannot be rehabilitated and reused, then it must be documented and replaced. Consider contemporary designs for new bridges located in historic Regions and contemporary designs for proposed additions and alterations to historic bridges: these designs shall be compatible with the size, scale, visual quality, and character of the historic bridges, Region, and environment.

(2) Conversion to Alternative Use

Conversion to an alternate use, preferably a transportation use, is the second preservation option. Bridges that continue to serve transportation purposes on less demanding public roads may continue to be eligible for federal highway funding. Historic bridges also can be converted to a nonvehicular use such as pedestrian walkway or bikeway, or nontransportation uses such as craft centers, museums, restaurants, or housing.

(e) Marketing (Sale or Donation)

STURAA legislation requires that, prior to demolition, historic bridges must be offered for sale or donation to a state or local government agency or responsible private party interested in preserving the bridge for adaptive uses or transportation purposes. To the extent permitted by law and department policy, WSDOT will cooperate with other agencies and private

entities that seek to adapt a bridge to non-transportation uses, but it will not actively pursue non-transportation alternatives. Refer to WSDOT Engineering Publication 2601, *Right of Way*, for further guidance pertaining to transfers or marketing of surplus historic bridges.

(1) Marketing Plan

Where demolition is being considered as the preferred alternative, prepare a marketing plan (in coordination with Region Real Estate Services, SHPO/THPO, FHWA, and Council). The plan should describe the availability of the bridge for other uses including nonpublic or nonmotorized vehicular transportation. The marketing plan shall:

1. Be prepared by the current owner.
2. Contain a summary statement of the historic significance of the structure, existing structural conditions and needed repairs, estimated costs for rehabilitation alternatives, potential traffic or nontraffic uses and what preservation work is needed, structural dimensions, maintenance requirements, and location map.
3. Describe public funding available to the recipient for relocation and/or rehabilitation work. Reasonable rehabilitation and/or relocation costs, when the bridge is to serve other than motorized public traffic, are reimbursable up to the estimated cost of demolition. Any additional cost will be the responsibility of the recipient. In other words, the FHWA and the current owner of the structure are responsible to provide funds up to the estimated cost of demolition, rehabilitation, and/or relocation. If the recipient proposes to relocate the structure for motorized use and would be eligible for federal aid, reimbursement can be made without reference to demolition.
4. State that recipients must agree to:

- Provide a comprehensive plan for the preservation and future use of the structure, including any desired modification and estimated cost of rehabilitation.
 - Maintain the structure and the features that give it historic significance according to prescribed standards.
 - Assume all future legal and financial responsibility for the structure, including “hold harmless” agreements to the current owner, WSDOT, and FHWA, and the posting of a performance bond.
 - Provide proof of their ability to assume the financial and administrative responsibilities of bridge ownership throughout its existence.
5. Note that any bridge preserved with federal funding shall thereafter not be eligible for any other highway funds pursuant to Public Law 100-17, Section 123(f) (Historic Bridges).
 6. Provide for advertising the availability of the bridge to interested parties for at least 60 days prior to decision to remove or demolish the structure. Within the time period, potential recipients should forward proposals on the structure to the bridge owners. Longer response periods may be considered for more complex projects. Shorter periods may be possible with approval by SHPO/THPO, WSDOT, and FHWA. Advertising guidelines are:
 - Develop advertisements to be placed in newspapers and other media. They should include the structure location, type, dimensions, existing condition and needed repairs, and a date by which interested parties should present their proposed plan. All ads should state the estimated cost of demolition, the availability of public funds, potential options for rehabilitation or relocation, and maintenance responsibilities.

- Submit the ad copy to WSDOT/FHWA for approval prior to publication in order to ensure compliance with requirements.
- Place the ads in newspapers that cover a regional area. Transportation or historic publications, trade or planning journals, and electronic media should also be considered. Advertising for a minimum of three newspaper circulations, including one Sunday, and also in the area legal paper, is recommended. Send letters soliciting interest to state and local agencies, historical societies, and individuals who have expressed interest. Identify the length of time during which formal proposals will be accepted.
- In the event that no acceptable recipient is found by a good-faith effort and within the established response period, the marketing requirements will be considered satisfied.

(2) Memorandum of Agreement

Incorporate provisions of the marketing plan in a proposed MOA (see sample in [Exhibit 456-10](#)). After obtaining approval from OSC Real Estate Services, SHPO/THPO, and the Attorney General's Office, submit the MOA to FHWA for approval and forwarding to the Council. The marketing effort will normally be concurrent with preparation of the Final EIS or EA and 4(f) evaluation and should be completed at the same time as the beginning of the Final EIS. The approved MOA and results of the marketing effort are included in the revised EA and Finding of No Significant Impact (FONSI), or the Record of Decision (ROD).

(g) Documentation and Demolition

Demolition should be considered the last resort. However, when it is required, the adverse effect can be mitigated through procedures (such as photos, archives, writings, models, etc.) agreed upon in consultation with SHPO and Advisory

Council on Historic Preservation. See [Exhibit 456-10](#).

The level of required documentation will be determined in concurrence with guidance from HAER. Documentation must be complete prior to the beginning of construction. As the bridge owner, WSDOT is responsible for providing the documentation material. That material mainly consists of the photographs, historic documentation, and measured drawings requested by SHPO/THPO.

(4) Section 4(f) Evaluations

The Section 4(f) evaluation is a separate analysis of impacts to covered resources that could result from one or more alternatives being considered for a transportation project. For some historic and archaeological properties, including historic bridges, a Section 4(f) evaluation may be required in addition to a Section 106 evaluation. For such projects, note that a Section 106 conclusion of "no adverse impact" does not necessarily waive the need to prepare a Section 4(f) document. For guidance on Section 4(f) evaluations, see [Section 411.09 \(1\)](#) and [Section 455.05](#).

For certain projects having minor impact on historic properties or requiring use of historic bridges, Section 4(f) requirements may be met using FHWA's nationwide or programmatic evaluation and approval documents:

- **Historic Sites** – Final Nationwide Section 4(f) Evaluation and Approval for Federally-Aided Highway Projects with Minor Involvements with Historic Sites (December 23, 1986).
- **Historic Bridges** – Programmatic Section 4(f) Evaluation and Approval for FHWA Projects that Necessitate the Use of Historic Bridges (July 5, 1983).

These documents are available via FHWA's web site:

 <http://www.fhwa.dot.gov/>

Click on FHWA Programs, then Environment, then Environmental Guidebook, then Section 4(f), then the title of document.

Or by direct link:

 <http://www.fhwa.dot.gov/environment/guidebook/chapters/v2ch15.htm>

(5) FHWA Technical Advisory

FHWA Technical Advisory T6640.8A (October 1987) gives guidelines for preparing environmental and Section 4(f) documents. A draft EIS, if required, should include a discussion demonstrating that historic and archaeological resources have been identified and evaluated in accordance with the requirements of 36 CFR 800.4 for each alternative under consideration. Section 4(f) also applies to any archaeological site in or eligible for the National Register and which warrants preservation in place (see [Section 455.05](#)).

For guidance on format and content of Section 4(f) evaluations for historic and archaeological sites, see the Technical Advisory on FHWA's web site:

 <http://www.fhwa.dot.gov/>

Click on Legislation and Regulations, then FHWA Directives and Policy Memorandums, then FHWA Technical Advisories, then T6640.8A.

Or by direct link:

 <http://www.fhwa.dot.gov/legsregs/directives/techadv/t664008a.htm>

(6) Office of Community Development

The Washington State Office of Community Development (OCD) has an Archaeology and Cultural Preservation Program which offers additional resource information. See the OCD web site:

 <http://www.oed.wa.gov/>

Click on Our Programs, then Office of Archaeology and Historic Preservation.

Or by direct link:

 <http://www.oed.wa.gov/info/lgd/oahp/>

(7) Procedures for Discovery During Construction

Use the General Special Provisions in the contracts for highway construction projects pertaining to Archaeological and Historical Objects, and Archaeological and Paleontological Salvage for treatment of cultural resources that may be encountered during construction. See [Exhibit 456-11](#).

456.06 Permits

(1) Archaeological Resources Protection Act Permit

This permit is needed for actions on both federal and tribal lands. For guidance on obtaining a permit, see [Exhibit 456-12](#) and [Exhibit 456-13](#).

(2) Historic and Cultural Resources

No specific permits are required; however, close agency coordination is required on studies, documentation of impacts, possible mitigation, and project construction. **Excavation permits from State Architect/SHPO apply only to projects without a federal nexus; for cultural resources, WSDOT practice is to consider all projects as if they were federally funded.**

456.07 Non-Road Project Requirements

Ferry, rail, airport, or non-motorized transport systems are generally subject to the same policies, procedures, or permits that apply to road systems.

456.08 Exhibits

[Exhibit 456-1](#) – Glossary of Terms Related to Historic, Cultural, and Archaeological Resources.

Exhibit 456-2 – National Programmatic Agreement among the Federal Highway Administration (FHWA), National Conference of State Historic Preservation Officers (SHPOs), and the Advisory Council on Historic Preservation (ACHP) for Implementation of Transportation Enhancement Activities (June 11, 1997).

Exhibit 456-3 – Programmatic Agreement among the FHWA, WSDOT, Advisory Council of Transportation, and the SHPO Regarding Historic Registers and Implementing Section 106 of the National Historic Preservation Act (16 USC 470f).

Exhibit 456-4 – Discipline Report Checklist, Cultural Resources.

Exhibit 456-5 – Section 106 Criteria for Eligibility for National Register of Historic Places.

Exhibit 456-6 – Section 106 Regulations Flow Chart.

Exhibit 456-7 – WSDOT Historic Bridge Rehabilitation Guidelines.

Exhibit 456-8 – Washington State Historic Highway Bridges.

Exhibit 456-9 – Examples of Historic Bridge Rehabilitation Projects.

Exhibit 456-10 – Sample Memorandum of Agreement on Projects Affecting Historic Bridges.

Exhibit 456-11 – Contract General Special Provisions on Discovery of Cultural Resources during Construction.

Exhibit 456-12 – Archaeological Resources Protection Act – Permit Process on Federal Lands (Non-Tribal).

Exhibit 456-13 – Archaeological Resources Protection Act – Permit Process on Tribal land

Glossary – Historic, Cultural and Archaeological Resources

Adverse Effect – Occurs when an effect on an historic property diminishes the integrity of the property's aspects of integrity (see below). See also Determination of Effect. [Criteria of adverse Effect: 36 CFR 800.9(b).]

Advisory Council on Historic Preservation – An independent federal agency, established under the NHPA, which: (1) advises the President and Congress on matters of historic preservation; (2) carries out Section 106 reviews; and 3) provides technical assistance in historic preservation actions.

Affect (Verb) – Action that may change the character of an historic property.

American Indian Religious Freedom Act – Requires federal agencies and their representatives to consult with native groups (American Indians, Eskimos, Aleuts, and Native Hawaiians) “to protect and preserve Native American religious cultural rights and practices.” [PL 95-341, 1978; 92 Stat. 469.]

Antiquities Act – Protects archaeological resources on federal lands, and established a permitting system for legal removal of materials. Most provisions have been superseded by the Archaeological Resources Protection Act; thus “antiquities” permits have become “ARPA” permits. [Antiquities Act: 16 USC 431, 1906.]

Archaeological and Historic Preservation Act – Addresses mitigation for cultural resources to be lost due to federal actions. Most often invoked after decisions for a federal project are reached through the Section 106 process, that is in “late discover” situations whereby the Secretary of the Interior may prescribe mitigative measures without consulting the Advisory Council. The Act also authorizes federal agencies to spend up to 1% on cultural resources work of the total cost of a construction project. [16 USC 469; PL 93-291, 1974.]

Archaeological Resources Protection Act – Establishes permitting process for archaeological excavation on *federal* land. Required “ARPA” permit applicants to demonstrate: (1) qualifications; (2) activity to be done to further archaeological knowledge; (3) curation plan for recovered artifacts. Requires federal land manager to notify Indian tribes of possible harm to sites having religious or cultural importance. Prohibits unauthorized excavation, removal, or defacement of archaeological resources, and sets civil penalties. [16 USC 470; PL 96-95 1979; Implementing regulations: 43 CFR 3.]

Area of Potential Effects (APE) – The geographic area or areas within which an undertaking may cause changes in the character or use of historic properties, if any such properties exist. APE should be defined before historic properties are identified. APE is not defined on the basis of land ownership, and should be determined based upon potential direct *and* indirect effects. [36 CFR 800.2(c).]

Aspects of Integrity – The seven (7) physical features of historic properties as they relate to properties' significance: location, design, setting, materials, workmanship, feeling, or association. See Integrity below, and National Register *Bulletin* 15, pp. 44-45.

Building – A construction created to shelter any form of human activity, including animal husbandry.

Certified Historic Structure – A depreciable building or structure which is either listed in the National Register or located in a National Register Historic District, or in a state- or local-designated historic district, and certified by the Secretary of the Interior as being of historical significance to (i.e., a contributing element in) the district. [36 CFR 67.2.]

Certified Local Governments (CLGs) – Local government historic preservation entities participating in the national historic preservation program, certified by the SHPO. Existence may afford property owners in the CLG jurisdiction the opportunity to participate in local (state, county, etc.) preservation incentives (e.g., tax incentives).

Certified Rehabilitation – On a certified historic property (see definition), work that is certified by the Secretary of the Interior as being consistent with the historic character of the property and, where applicable, with the district in which it is located. [36 CFR 67.2.]

Contributing Element (or Resource) – A building, site, structure, or object that adds to the historic architectural qualities, historic associations, or archaeological values for which a property is significant because: (a) it was present during the period of significance, and possesses historic integrity reflecting its character at that time or is capable of yielding important information about the period; or (b) it independently meets the National Register criteria. See National Register *Bulletin 16A*, p. 16.

Council (Advisory Council on Historic Preservation) – An independent federal agency that administers the Section 106 review process.

Criteria for Evaluation (National Register Eligibility Criteria) – Standards used for determining the eligibility of properties for inclusion in the National Register of Historic Places. [36 CFR 60.4(a-d)]. See National Register *Bulletin 15*, pp. 11-24.

Criteria Considerations – Additional standards applying to certain kinds of historic properties. [36 CFR 60.4(a-g)]. See National Register *Bulletin 15*, pp. 24-43.

Cultural Landscape – Also known as Rural Historic Landscape or Historic Landscape. A geographical area that historically has been used by people, or shaped or modified by human activity, occupancy, or intervention, and that possesses a significant concentration, linkage, or continuity of areas of land use, vegetation, buildings and structures, roads and waterways, and natural features. See National Register *Bulletin 30* and C.A. Birnbaum and C.C. Peters, *The Secretary of the Interior's Standards for the Treatment of Historic Properties, with Guidelines for the Treatment of Cultural Landscapes*, NPS, GPO, Washington, D.C., 1996.

Cultural Patrimony – Regarding cultural items, defined in NAGPRA as material remains of “historical, traditional, or cultural importance to the Native American group or culture itself.”

Cultural Resource – A place, object, or event that is important to a community or region’s history, traditions, beliefs, customs, or social institutions.

Cultural Resource Specialist (CRS) – A WSDOT employee in the Environmental Affairs Office who advises department staff on policies relating to items of historic/archaeology significance that may be affected by a project and who conducts regulatory compliance procedures.

Cultural Resources Management – The body of laws and regulations pertaining to historic, archaeological, and cultural properties, and the manner in which those directives are implemented.

Data Recovery Plan – A plan developed in consultation with the SHPO and interested parties for conducting research, gathering information, and documenting an historic property that will be adversely affected by a WSDOT project.

Department of Transportation Act – Section 4(f) (see definition) relates to historic properties. [49 USC 303, 1966, recodified 1983.]

Designed Historic Landscape – A landscape that has significance as a design or work of art; that was consciously designed and laid out to a design principle or recognized style or tradition; that has an historical association with a significant person, trend, or event in landscape architecture; or that has a significant relationship to the theory or practice of landscape architecture. See National Register *Bulletin 18*.

Determination of Effect – A finding, by a federal agency in consultation with SHPO, pursuant to compliance with Section 106 (see definition) that a proposed undertaking will have an effect on historic properties. If an effect is identified, the Criteria of Adverse Effect is applied to determine potential Adverse Effect (see definition). Other possibilities are determinations of No Effects and No Adverse Effect.

Determination of Eligibility – Formal recognition (by the SHPO, state Advisory Council, the Keeper of the National Register, or an agency) of a property's eligibility for inclusion, but not actual listing, in the National Register of Historic Places. Determinations of Eligibility may be prepared on National Register Registration Forms (NPS 10-900).

District – A significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development. May be an archaeological or historic district, or may contain elements of both.

Easement (Preservation Easement) – An agreement between a private property owner and a public body obligating the owner and future owners to preserve historic features of the property. The owner surrenders opportunities for development potential at “fair market value” for income, estate, and gift tax benefits of equal value.

Economic Recovery Tax Act of 1981 (ERTA) – Establishes the Investment Tax Credit (ITC) program for rehabilitation of older buildings, including certified historic buildings (see definition). [PL 97-34] Amended by the Tax Reform Act of 1986 (see definition).

Effect (Noun) – Occurs when an undertaking may alter characteristics that qualify a property for inclusion in the National Register. [Criteria of Effect: 36 CFR 800.9(a).]

Eligible – A property is eligible for inclusion in the National Register of Historic Places if it meets the National Register Criteria (see Criteria for Evaluation).

Environmental Impact Statement (EIS) – Required by NEPA and SEPA (see definitions), to include identification of known cultural resources in a federal or Washington State project area and disclosure of potential impacts.

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations – Requires federal agencies to identify and address “disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.” Section 6-606

requires consultation with federally recognized tribes to “coordinate steps” to pursue compliance with this executive order. [42 USC 4321.]

Executive Order 13006 – Requires federal government to “utilize and maintain, wherever operationally appropriate and economically prudent, historic properties and districts, especially those located in our central business areas ... when locating Federal facilities, Federal agencies shall give first consideration to historic properties within historic districts.... Any rehabilitation or construction that is undertaken pursuant to this order must be architecturally compatible with the character of the surrounding historic district or properties.” (1996)

Executive Order 13007 – Requires federal agencies, “to the extent practicable, [to] (1) accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and (2) avoid adversely affecting the physical integrity of such sacred sites. Where appropriate, agencies shall maintain the confidentiality of sacred sites.” (1996)

FONSI – Finding of No Significant Impact.

Growth Management Act (GMA) (Washington) – Requires counties and cities to “identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance.” (1990)

HABS/HAER (Historic American Building Survey/Historic American Engineering Record) – The official documentary collections of the National Parks service, the Library of Congress, and the American Institute of Architects preserving the heritage of historic structures through graphic and written records. HABS/HAER documentation may be assembled and used to mitigate adverse effects to historic structures that meet the National Register eligibility criteria; for example, when an historic bridge that cannot be rehabilitated is scheduled to be replaced, photos with records, etc., can be collected and archived as a way to preserve it.

Historic American Building Survey (HABS) and Historic American Engineering Record (HAER) – The historical architecture and engineering programs of the National Park Service that promote preservation through documentation in the Library of Congress of significant structures. HABS/HAER documentation can be sponsored by NPA, individuals, or organizations, but often is completed by agencies pursuant to Sections 106 or 110(b) of the National Historic Preservation Act. Those HABS/HAER mitigation projects record properties to be demolished or substantially altered as a result of agency action or assisted action.

Historic Context – A body of information about historic properties organized by theme, place, and time. It is the organization of information about prehistory and history according to the states of development occurring at various times and places.

Historic Preservation – Identification, evaluation, recordation, documentation, curation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance and reconstruction, or any combination of the foregoing activities relating to historic properties. [16 USC 470w(8)]

Historic Property – A property or cultural resource that is listed in or eligible for listing in the National Register and, under SEPA, in state and local historic registers. Historic properties may be buildings or other structures, objects, sites, districts, archaeological resources, and traditional cultural properties (landscapes).

Indian Graves and Records Act (RCW 27.44), Archaeological Excavation and Removal Permit (WAC 25-48), Abandoned and Historic Cemeteries Act (RCW 68.04-05) (Washington) – State laws and regulations protecting Indian graves and historic cemeteries, and making disturbance of such sites, without a permit, a Class C felony.

Integrity – A measure of a property’s evolution and current condition, especially as it relates to the authenticity of a property’s historic identity, evidenced by the survival of physical characteristics that existed during the property’s historic or prehistoric period.

Investment Tax Credit (ITC) – Credit granted by the federal government against tax liability for the certified rehabilitation of buildings for income-producing purposes. Made available by the Economic Recovery Tax Act of 1981.

ISTEA (Intermodal Surface Transportation Efficiency Act of 1991) – A national act that provides funding for historic bridge preservation and rehabilitation projects and provides for more flexible design standards in order to preserve historic structures.

Keeper of the National Register – Maintains the National Register of Historic Places, and makes final decisions on listing of properties nominated to the National Register.

Management Plan – Typically addressed appropriate treatments and preservation strategies for managing historic properties. Often included as an item in a Programmatic Agreement (PA – see definition).

Memorandum of Agreement (MOA) – A formalization of the means of resolving adverse effects agreed upon by the consulting parties, serving to specify mitigation, identify responsibility, render Advisory Council comment, and acknowledge effects of the undertaking on historic properties. May also be a Programmatic Agreement (PA).

Mitigation Measures – Actions required to mitigate adverse effects to historic properties. Usually stipulated in an MOA/PA.

Multiple Property Nomination – A registration of several significant properties linked by a common property type or historic context. Submitted to SHPO and NPS on National Register Multiple Property Documentation Forms (NPS 10-900-b), known as “MPDs.” See National Register Bulletin 16B.

National Environmental Policy Act (NEPA) – Creates a national policy for environmental protection, to include the cultural environment. Requires federal agencies sponsoring projects to identify cultural resources and disclose potential impacts in Environmental Assessments (EA) or Environmental Impact Statements (EIS). Requires that all federal laws and regulations “be interpreted and administered in accordance with the policies set forth in this chapter; triggers Section 106 compliance.” [PL 91-190, 42 USC 4321-4347, 1969.]

National Historic Landmark – Historic properties of national significance, established by the Historic Sites Act of 1935 [PL 74-292]. NHLs are also listed in the National Register. [National Historic Landmark Program, 36 CFR 65.]

National Historic Preservation Act (NHPA) – Establishes a national policy for historic preservation, the National Register of Historic Places, SHPOs, the Advisory Council on Historic

Preservation, CLGs, and other programs. Contains Sections 106 and 110 (see definitions). [16 USC 470, PL 89-655, 1966, amended 1976, 1980, 1992.]

National Register of Historic Places – The nation’s official listing of properties significant in national, state and/or local history, meeting one or more criteria for evaluation (36 CFR 60.4). Listing is commemorative, but may require compliance by property owners with federal/state/local laws and regulations. May also provide private property owners with opportunities to take advantage of preservation incentives, such as easements and tax relief.

Native American Graves Protection and Repatriation Act (NAGPRA) – Provides American Indians, Native Hawaiians, and Native Alaskans a formal role in activities occurring on *federal and tribal lands* that may affect archaeological resources. Mitigative actions developed pursuant to Section 106 of the NHPA, and the disposition of human remains, must meet with the approval of appropriate tribal authorities. Inadvertent discover of human remains and other cultural materials requires immediate “reasonable” protection of the items and a 30-day suspension of project-related activities. NAGPRA also sets forth a process for repatriation of human remains, and: funerary and sacred objects, and items of “cultural patrimony” (see definition) and provides penalties for illegally trafficking in same. [PL 101-601; 104 Stat. 3048.]

Nomination – Official request to have a property listed in the National Register. Documentation is placed on a National Register of Historic Places Registration Form (NPS 10-900) and submitted to the CLG (if appropriate), the SHPO, and the Keeper of the National Register (see definitions). See National Register *Bulletin 16A*.

Non-contributing Element (Resource) – A building, site, structure, or object that *does not* add to the historic architectural qualities, historic associations or archaeological values for which a property is significant because: (a) it was not present during the period of significance; (b) due to alterations, disturbances, additions, or other changes, it no longer possesses historic integrity reflecting its character at that time or is incapable of yielding important information about the period, or (c) it does not independently meet the National Register criteria. See National Register *Bulletin 16A*.

Object – A construction primarily artistic in nature or relatively small in scale.

Office of Archaeology and Historic Preservation (OAHP) – A branch of the Department of Community, Trade, and Economic Development, this office houses the Washington State Historic Preservation Officer (SHPO). SHPO locations in state governments are unique to each state.

Patent – Legal title to real property. Granted by the federal government for parcels of the public domain when alienation occurs as the result of homesteading or similar action.

Programmatic Agreement (PA) – An agreement typically developed for a large or complex project or types of undertakings that would otherwise require a number of individual actions under Section 106, especially when effects on historic properties are repetitive or multi-state or national in scope; or when effects cannot be fully determined prior to project approval; or when effects consist of routine maintenance of historic properties. Management Plans (see definition) are often stipulated in Pas. [36 CFR 800.13(a).]

Property Type – Historic properties sharing physical or associative characteristics.

Protection of Historic and Cultural Properties (36 CFR 800) – Federal regulations implementing Section 106 of the National Historic Preservation Act.

Registration Requirements – Attributes of significance and integrity qualifying a property for listing in the National Register; especially important in establishing eligibility for each property type in Multiple Property submissions.

Rehabilitation – The process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values. [36 CFR 67.2]

Request for Proposal (RFP) – Issued by agencies soliciting contracted cultural resource studies.

Rural Historic Landscape – See Cultural Landscape, and National Register Bulletin 30.

Secretary of the Interior's Standards for Rehabilitation – Ten general rules outlining appropriate rehabilitation (see definition) for historic properties. Used to evaluate whether the historic character of a building is preserved in the process of rehabilitation, and to determine eligibility of certified rehabilitation (see definition) projects. [36 CFR 67.]

Section 4(f) – Requirement in the Department of Transportation Act of 1966 that federally-funded highway projects may affect historic properties *only if*: no prudent and feasible alternatives exist and adverse effects are minimized. [Also appeared in the Federal-Aid Highway Act of 1968; recodified in 49 USC 303, 1983.] See Environmental Procedures Manual, [Section 455](#).

Section 106 Review – Section 106 of the Advisory Council's regulations (36 CFR Part 800), which implements the National Historic Preservation Act of 1966, as amended. This is the federal review process that ensures that historic properties are considered during federal aid project planning and execution. Section 106 applies to historic properties that have not yet been listed or formally determined to be eligible for listing; even properties that have not yet been discovered (such as archaeological sites) are subject to Section 106 review. The Section 106 review process satisfies SEPA requirements.

Section 110 – Section in the National Historic Preservation Act of 1966 assigning broad responsibilities to federal agencies to: designate an agency preservation officer; locate and nominate properties to the National Register; record historic properties that must be altered or destroyed (HABS/HAER documentation); undertake preservation; and other responsibilities. [16 USC 470h-2.]

Section 304 – Section of the National Historic Preservation Act of 1966, as amended in 1992, directing federal agencies or other public officials receiving federal grant assistance to withhold from disclosure to the public, information regarding the location, character, or ownership of an historic resource if that disclosure may: (1) cause invasion of privacy; (2) risk harm to the resource; or (3) impede the use of a traditional religious site by practitioners. Section 304 serves as an exemption from disclosure requirements of the Freedom of Information Act.

Section 404 Permit – Requirement of the Clean Water Act of 1977, as amended, for modification of wetlands, and for dredging and filling of navigable waterways. [33 USC 1344.] Permit requirement triggers compliance with Section 106 of the National Historic Preservation Act.

Setting – Quality of integrity applying to the physical environment of an historic property.

Site – The location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archaeological value regardless of the value of any existing structure.

State Environmental Policy Act (SEPA) (Washington) – Procedural aspect: impacts on historic resources must be identified. Substantive aspect: counties and cities can adopt policies that provide authority to stop or limit adverse impacts to historic resources. [SEPA Rules: WAC 197-11.]

State Historic Preservation Officer (SHPO) – Coordinates preservation activities in each state; one SHPO per state, usually appointed by the governor. SHPO is charged with reflecting the interests of the state and its citizens in preserving their cultural heritage, which involves a variety of responsibilities. [36 CFR 61.4(b).] In Washington State, SHPO is housed in the Office of Archaeology and Historic Preservation (OAHP).

Structure – Functional constructions made usually for purposes other than creating shelter.

STURAA (Surface Transportation and Uniform Relocation Assistance Act of 1987) – A national act that mandates states to give special consideration to rehabilitating, reusing, and preserving historic bridges.

Tax Reform Act (TRA) of 1986 – Amended the Economic Recovery Tax Act of 1981 (see definition) reducing: (1) to 20% of the ITC (see definition) allowable for rehabilitation costs for certified historic structures (see definition); and (2) to 10% of the ITC allowable for buildings first placed in service before 1936. [PL 99-514.]

TEA 21 – Transportation Equity Act for the 21st Century (PL 105-178), continues national transportation policy directions established by ISTEA. (1998)

Traditional Cultural Property – A place eligible for inclusion in the National Register because of its association with cultural practices or beliefs of a living community that are (a) rooted in that community's history, and (b) important in maintaining the continuing cultural identity of the community. The concept is based upon the introductory section of the National Historic Preservation Act, which states that "the historical and cultural foundations of the Nation should be preserved as a living part of our community life in order to give a sense of orientation to the American people." [16 USC 470(b)(2)] See National Register *Bulletin* 38. Authorized by the 1992 Amendments to the National Historic Preservation Act. [Section 101(d)(6)(A).]

Tribal Historic Preservation Officer – Authorized by the 1992 Amendments to the national Historic Preservation Act. When approved by NPS, Tribal HPO replaces SHPO in compliance process on "tribal" lands. [Section 101(d)(2).]

Undertaking – Any activity that can result in changes in the character or use of historic properties. The activity must be under the direct or indirect jurisdiction of a federal agency or licensed or assisted by a federal agency. [36 CFR 800.2(o).]

Universal Transverse Mercator (UTM) Grid System – Method for locating historic properties using USGS maps and measurements cited in linear, decimal units. Measurements are referred to as "UTMs."

National Programmatic Agreement on Transportation Enhancements

Memorandum

U.S. Department
of Transportation

Federal Highway Administration

Subject: **INFORMATION:** Programmatic Agreement
on Transportation Enhancements

Date: June 11, 1997

From: Chief, Environmental Analysis Division

Reply to

Attn. of: HEP-40

To: Regional Administrators
Federal Lands Highway Program Administrator

Attached for your information, consideration, and use by State DOTs is a copy of the new programmatic agreement on transportation enhancements. This nationwide agreement with the Advisory Council on Historic Preservation and the National Conference of State Historic Preservation Officers (SHPOs) is expected to reduce the time spent by State DOTs in project review, consultation, and processing of transportation enhancement activities. It will accomplish this by encouraging local coordination and public participation, and reducing the need for project-by-project coordination with out-of-State groups. In addition, the agreement permits the SHPO and the State DOT to exercise judgment in weighing the benefits of the project against minor, but measurable, adverse changes to historic qualities. The net result, as one State DOT noted, will be to greatly assist in the implementation of the ISTEA, and to reduce the time to process projects by 30 to 60 days.

The Acting Administrator has signed this nationwide programmatic agreement on behalf of the FHWA. Individual States may activate this programmatic agreement by sending concurrent letters of acceptance to the three signatories and to the SHPO and the FHWA Division Office. The FHWA Division Administrator will be the Agency official with responsibility for ensuring that the agreement is carried out.

Use of this nationwide programmatic agreement is NOT mandatory. States DO NOT have to adopt it for their enhancements projects. Many States have already developed agreements that work for them; and those agreements remain in effect. Some States may wish to adapt the approach conveyed in this agreement and further tailor it for their specific program needs. Please

advise the State that if they choose to adapt this agreement and create a new one, they will need to develop it in consultation with the FHWA Division, the SHPO, and the ACHP.

If you have any questions please contact Mr. Bruce Eberle, FHWA Historic Preservation Officer. He may be reached at (202) 366-2060.

(original signed by person named below)
James M. Shrouds

Attachment

**NATIONWIDE PROGRAMMATIC AGREEMENT
AMONG
THE FEDERAL HIGHWAY ADMINISTRATION (FHWA),
THE NATIONAL CONFERENCE OF STATE HISTORIC
PRESERVATION OFFICERS
(NATIONAL CONFERENCE OF SHPOs), AND
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP),
FOR IMPLEMENTATION OF TRANSPORTATION
ENHANCEMENT ACTIVITIES**

WHEREAS, Section 316(2) (23 U.S.C. 133(e)(5)(B)) of the National Highway System Designation Act of 1995 (Pub. L. 104-59, 109 Stat. 568) requires the development of a nationwide programmatic agreement to expedite and improve implementation of transportation enhancement activities; and

WHEREAS, Section 1007(a) (23 U.S.C. 133(b)(8)) of the ISTEA authorizes the expenditure of Federal Surface Transportation Program funds for transportation enhancement activities; and

WHEREAS, Section 1007(c) (23 U.S.C. 101(a)) of ISTEA defines the term “transportation enhancement activities” to include a variety of project categories that can be beneficial to the preservation of historic properties; and

WHEREAS, the FHWA has determined that transportation enhancement activities may have effects upon properties included in or eligible for the National Register of Historic Places and has consulted with the ACHP, and the National Conference of SHPOs pursuant to 36 CFR 800.13 of the regulations implementing section 106 of the National Historic Preservation Act (16 U.S.C. 470f); and

WHEREAS, the signatories to this agreement desire to expedite the necessary historic preservation review for transportation enhancement activities beneficial to historic preservation and thereby encourage the use of transportation enhancement funds for historic preservation purposes; and

WHEREAS, the signatories to this agreement recognize that although most projects advanced as transportation enhancement activities should benefit historic properties, the State Transportation Agency (STA) shall make known any findings regarding effects to historic properties through its normal public participation process; and

WHEREAS, the STA, after consultation with the individual State Historic Preservation Officer (SHPO), may activate this programmatic agreement by sending concurrent letters of acceptance to the three signatories and to the SHPO and the FHWA Division Office.

NOW, THEREFORE, the FHWA, the ACHP, and the National Conference of SHPOs, pursuant to § 316(2) of the National Highway System Designation Act of 1995, agree that transportation enhancement activities shall be implemented in accordance with the following stipulations to satisfy the FHWA’s section 106 responsibilities for all individual undertakings of

transportation enhancement activities which may affect historic properties in any State where this programmatic agreement is activated.

STIPULATIONS

The FHWA shall ensure that the following measures are carried out:

I. Expediting the Processing of the Following Categories of Transportation Enhancement Activities:

1. Provision of facilities for pedestrians and bicycles.
2. Acquisition of scenic easements and scenic or historic sites.
3. Scenic or historic highway programs.
4. Landscaping and other scenic beautification.
5. Historic preservation.
6. Rehabilitation and operation of historic transportation buildings, structures or facilities (including historic railroad facilities and canals).
7. Preservation of abandoned railway corridors (including conversion and use for pedestrian or bicycle trails).
8. Control and removal of outdoor advertising.
9. Archaeological planning and research.
10. Mitigation of water pollution due to highway runoff.

II. Identifying and Evaluating Historic Properties

- A. The STA will be responsible for identifying and evaluating all historic properties within each activity's area of potential effect, and evaluating eligibility for the National Register of Historic Places, in consultation with SHPO, following the procedures set out in 36 CFR 800.4.
- B. The STA, in consultation with the SHPO, may encourage or require project sponsors to include historic property documentation or survey results as part of the transportation enhancement activity application.

III. Determining Effect on Historic Properties

The STA will assess the effects of the proposed transportation enhancement activities on historic properties by applying the Criteria of Effect and Adverse Effect (36 CFR 800.9). The STA will ensure that the SHPO is provided adequate documentation to review the STA's effect determination. The SHPO will promptly inform the STA if more information is necessary to make its determination.

A. No Effect

If the STA determines that the undertaking will have no effect on historic properties, it will notify the SHPO in writing. The SHPO will review this determination and provide written comments to the STA within 15 working days after receipt of the STA's finding and adequate documentation. If the SHPO concurs with the STA's no effect determination, or fails to provide comments

within 15 working days, the undertaking may proceed as planned. If the SHPO objects to the STA's finding, the SHPO will indicate the reasons for nonconcurrence and the STA and the SHPO shall consult further to identify project alternatives that may result in the undertaking having no effect on historic properties or shall apply the Criteria of Adverse Effect and continue the review of the project pursuant to Stipulation III.B. of this agreement.

B. No Adverse Effect and Adverse Effect

1. If the STA determines that the undertaking will have no adverse effect on historic property, it will notify the SHPO in writing. The SHPO shall review this determination and provide written comments to the STA within 30 days after receipt of the STA's finding and adequate documentation.
 - a. If the SHPO concurs with the STA's no adverse effect determination or fails to provide comments within 30 days, the STA shall document that finding, which shall be available for public inspection, and proceed with the activity as planned without further review by the ACHP.
 - b. If the SHPO objects to the STA's finding, the SHPO will indicate the reasons for nonconcurrence and the STA and the SHPO shall consult further to identify project alternatives that may result in the undertaking having no adverse effect on historic properties or shall proceed in accordance with Stipulation III.B.2 or III.B.3.
2. If the STA and the SHPO cannot agree that the proposed transportation enhancement activity will have no adverse effect, or if they agree there is an adverse effect, then the STA shall notify the FHWA and the FHWA shall complete the section 106 process in accordance with 36 CFR 800.5 and 800.6, unless stipulation III.B.3 applies.
3. Transportation enhancement activities may advance without further comment from the ACHP, provided that the FHWA and the SHPO concur with the STA that: (a) the benefits to historic property(ies) outweigh any minor adverse effects (e.g., when a proposed rehabilitation substantially meets the Secretary of the Interior's Standards for Preservation Projects); and that (b) agreed upon measures will be implemented to mitigate those effects (e.g., appropriate recordation measures). The STA shall document the effect finding, which shall be available for public inspection.

IV. Amending this Programmatic Agreement, If Requested

Any party to this Programmatic Agreement may request that it be amended, whereupon the parties to this Agreement shall consult to consider such amendment in accordance with 36 CFR 800.13. No amended agreement shall take effect until it has been executed by all parties, and all the STAs and SHPOs have been duly notified.

V. Processing of Any Public Objections

If at any time during the implementation of the measures contained in this Agreement, an objection to any such measure or its manner of implementation should be raised by an interested person, as that term is defined at 36 CFR 800.1(c)(2), the FHWA shall consult with the objecting party, the SHPO, and, as needed, the ACHP to resolve the objection. In light of the ACHP's views, the FHWA should reconsider the finding. An objection by the public, however, does not require the FHWA to suspend action on an undertaking. If the objection concerns the eligibility of a property for the National Register, the FHWA may refer the matter to the Keeper of the National Register, if it considers referral appropriate.

VI. Resolving Disputes Among Parties

Should any party to this Agreement object within 30 days to any action pursuant to this Agreement, the FHWA shall consult with the objecting party to resolve the objection. If the FHWA determines that the objection cannot be resolved, the FHWA shall forward all relevant documentation to the ACHP. Within 30 days after receipt of all pertinent documentation, the ACHP will either:

- A. Provide the FHWA with recommendations, which the FHWA will take into account in reaching a final decision regarding the dispute; or
- B. Notify the FHWA that it will comment pursuant to 36 CFR 800.6(b), and proceed to comment. Any ACHP comment provided in response to such a request will be taken into account by the FHWA in accordance with 36 CFR 800.6(c)(2) with reference to the subject of the dispute.

Any recommendation or comment provided by the ACHP will be understood to pertain only to the subject of the dispute; the FHWA's responsibility to carry out all actions under this Agreement that are not the subjects of the dispute will remain unchanged.

VII. Monitoring Transportation Enhancement Activities

The SHPO and the ACHP may monitor any activities carried out pursuant to this Agreement, and the ACHP will review such activity if so requested. The FHWA will cooperate with the SHPO and the ACHP in carrying out these monitoring and review responsibilities.

VIII. Terminating this Programmatic Agreement

Any party to this Programmatic Agreement may terminate it by providing 30 days notice to the other parties, provided that the parties will consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. In the event of termination, the FHWA will comply with 36 CFR 800.4 through 800.6 with regard to individual undertakings covered by this Agreement.

IX. Establishing Duration of this Programmatic Agreement

This Programmatic Agreement will continue in full force until such time as it is terminated or funds for projects undertaken pursuant to this Programmatic Agreement are no longer authorized or available.

X. Submitting a Report

The STA will compile a list of projects that are processed under this programmatic agreement. This list may be included with or incorporated into periodic reports provided to the FHWA. The list shall include, at minimum, the project name, location, and the amount of authorization. The STA will provide a copy of the list to the FHWA division office either periodically throughout the year, or by March 31, each year beginning the year after implementation of this programmatic agreement. The FHWA division will provide copies of the list to the ACHP and the National Conference of SHPOs by April 21.

XI. Failing to Comply with this Programmatic Agreement

In the event the FHWA does not carry out the terms of this Agreement, the FHWA will comply with 36 CFR 800.4 through 800.6 with regard to individual undertakings covered by this Agreement.

EXECUTION AND IMPLEMENTATION of this Programmatic Agreement evidence that the FHWA has afforded the Council a reasonable opportunity to comment on its Transportation Enhancement Program and that the FHWA has taken into account the effects of the Transportation Enhancement Program on historic properties.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: (original signed by person named below)

Date: 5/1/97

Chairman

FEDERAL HIGHWAY ADMINISTRATION

By: (original signed by person named below)

Date: _____

Acting Administrator

NATIONAL CONFERENCE OF STATE HISTORIC PRESERVATION OFFICERS

By: (original signed by person named below)

Date: April 29, 1997

President

Programmatic Agreement — Implementation of Section 106 for Federal-Aid Highways

Programmatic Agreement

Between the Federal Highway Administration
the Washington State Department of Transportation
the Advisory Council on Historic Preservation
and the Washington State Historic Preservation Officer
Regarding Implementation of the Federal Aid Highway Program
in Washington State

Whereas, the Federal Highway Administration (FHWA) administers the Federal Aid Highway Program in Washington State authorized by 23 U.S.C. §§ 101 et seq., through the Washington State Department of Transportation (WSDOT) (23 U.S.C. § 315); and,

Whereas, the FHWA has determined that the Federal-Aid Highway Program may have an effect upon properties included or eligible for inclusion in the National Register of Historic Places and has consulted with the Advisory Council on Historic Preservation (Council) and the Washington State Historic Preservation Officer (SHPO) pursuant to Section 800.14 of the regulations (36 CFR Part 800) implementing Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f); and,

Whereas, WSDOT maintains cultural resource staff and consultants meeting the Secretary of Interior's Professional Qualification standards in the fields of archaeology, history and architectural history; and,

Whereas, WSDOT participated in the consultation and has been invited to execute this Programmatic Agreement,

Now, therefore, the FHWA, the Council and the SHPO agree that the Federal Aid Highway Program shall be administered in accordance with the following stipulations to satisfy the FHWA Section 106 responsibility for all aspects of the program.

STIPULATIONS

FHWA shall ensure that the following measures are carried out:

1. Purpose and Scope

- A. This Programmatic Agreement sets forth the process by which FHWA with the assistance of WSDOT will meet its responsibilities for undertakings pursuant to Sections 106 and 110 of the National Historic Preservation Act (NHPA) (16 U.S.C. § 470f).
- B. FHWA Responsibilities - In compliance with its responsibilities under the NHPA, and as a condition of its award to WSDOT of any assistance under the Federal Aid Highway Program, FHWA will ensure that WSDOT carries out the requirements of 36 CFR Part 800 and applicable Council standards and guidelines for undertakings subject to this agreement. FHWA will be directly responsible for initiating consultation on individual projects with tribal governments pursuant to 36 CFR 800.2(c)(2) and (3).

- C. WSDOT Responsibilities - Pursuant to this agreement, WSDOT will ensure that all cultural resource staff and/or consultants, employed under its contract to conduct work in the field of cultural resources, meet the qualifications set forth in the Secretary of Interior's Professional Qualifications Standards for such work. Annual Review Meetings shall be conducted for the WSDOT's regions with SHPO or its representatives and FHWA, to review upcoming projects and to update staff on any changes to Section 106, SHPO coordination and/or Cultural Resources processes.

2. Projects Exempted from Review

The following types of undertakings are activities in which WSDOT routinely utilizes Federal Aid highway funds. These projects generally do not affect historic properties, provided they are limited to the activities specified and are not part of a larger project within or adjacent to a historic property or historic district. These types of activities shall not require Section 106 consultation with the SHPO:

- A. All work to be done on bridges of the National Highway System (NHS) and non-NHS state highways which are less than 40 years old, unless an inventory has shown the bridge to be exceptionally significant.
- B. All work within interchanges and within medians of divided highways unless the median has been undisturbed by construction.
- C. All work between a highway and an adjacent frontage road, unless the area between is undisturbed.
- D. Replacement or extension of culverts and other drainage structures with waterway openings of 100 square feet (9.3 square meters) or less and which *do not* extend beyond previous construction limits.
- E. Roadway surface replacement, overlays, shoulder treatments, pavement repair, seal coating, pavement grinding, and pavement marking where there will be no expansion of wearing surface, unless within a historic district.
- F. Installation of new lighting, signals, and other traffic control devices, and replacement or repair of lighting, signals, and traffic control devices where the existing units were installed less than 50 years ago, except if the project is immediately adjacent to, or located within, eligible bridges, historic properties, or historic districts.
- G. Installation, replacement, or repair of safety appurtenances such as guardrails, barriers, glare screens, and energy attenuators (except on National Register listed or previously determined eligible bridges, properties, or districts).
- H. Fencing, including salvage yards, provided no grading or other landscaping is involved.
- I. Landscaping on fillslopes and backslopes only. All landscaping beyond toe of fillslopes or beyond top of backslope must be reviewed.
- J. Repair or replacement in kind of curb and gutter, sidewalk and catch basins on the same location except the following: Replacement projects and construction of handicapped access ramps projects adjacent to National Register eligible or listed properties.

- K. Railway crossing signs and signal installation or modification and surface improvement.
- L. Emergency structural repairs to maintain the structural integrity of a bridge (except National Register listed or eligible bridges), roadway overlays, and painting. Bridge reconstruction which does not include roadway widening or modification of existing piers and abutments, but which may include bridge repairs, deck replacement or repair, railing repair and other maintenance work.
- M. Construction of turning lanes and pockets, auxiliary lanes (e.g., truck climbing, acceleration and deceleration lanes) and shoulder widening where only placement of fill material is involved, or within an area previously disturbed by vertical and horizontal construction activities.
- N. Placement of fill material on the side slopes of intersection crossroads and accesses for purposes of flattening these slopes to meet safety criteria, provided that no topsoil is removed beyond the area of previous horizontal and vertical disturbance.
- O. Hazardous waste removal and disposal from within an area previously disturbed by vertical and horizontal construction activities, which constitute a public hazard and which require immediate removal.
- P. Placement of riprap within an area previously disturbed by vertical and horizontal construction activities, to prevent erosion of waterways and bridge piers.
- Q. Routine roadway, roadside, and drainage system maintenance activities necessary to preserve existing infrastructure and maintain roadway safety, drainage conveyance, and stormwater treatment in previously disturbed areas.

3. Review

For those projects not exempt from review under terms of Stipulation 2, the following process shall be followed:

A. Initiation of Section 106 Process - 36 CFR Part 800.3

The WSDOT will be responsible for establishing the undertaking and defining the area of potential effect (APE). Prior to defining the APE, the WSDOT shall request the FHWA to initiate consultation with appropriate tribal governments. The WSDOT shall identify and invite other appropriate parties (such as local governments) to participate in the consultation.

B. Identification of Historic Properties - 36 CFR Part 800.4

The WSDOT will be responsible for identifying all historic properties within the APE, and evaluating the eligibility of any historic properties for the National Register of Historic Places. These activities will be carried out in consultation with the SHPO and any consulting parties, in accordance with 36 CFR Part 800.4. All cultural resources, including landscapes and traditional cultural places identified in the APE, will be examined for their integrity and eligibility in accordance with the criteria for listing in the National Register of Historic Places.

C. Finding of No Historic Properties Affected

If WSDOT determines that no historic properties will be affected by the undertaking, the finding and documentation will be forwarded to the SHPO for concurrence. Copies of this documentation will be provided to all consulting parties. If the SHPO does not concur with WSDOT's findings, the documentation will be submitted to FHWA for resolution. If, through consultation, the FHWA, the SHPO and WSDOT reach consensus, the process will move forward in accordance with this agreement, either to a finding of effect or documenting that no historic properties are affected. If consensus is not achieved the undertaking will not be developed under this agreement, but instead will proceed in accordance with 36 CFR Part 800.3 through 800.6.

D. Finding of Effect

1) If the WSDOT determines, and the SHPO concurs, that historic properties will be affected by the undertaking, the WSDOT shall apply the Criteria of Adverse Effect, 36 CFR Part 800.5(a)(1). If the WSDOT determines that the undertaking will have no adverse effect on historic properties, it will notify the SHPO in writing. The SHPO will review this determination and provide written comments to the WSDOT within 30 calendar days after receipt of the WSDOT's finding and supporting documentation as required by 36 CFR Part 800.11. If the SHPO concurs with the WSDOT's no adverse effect determination, the WSDOT shall document that finding, make it available to the consulting parties and for public review, and proceed with the undertaking as planned. If the SHPO objects to the WSDOT's finding, the SHPO will indicate the reasons for nonconcurrence and the WSDOT and the SHPO will consult further to resolve this matter, either by identifying project alternatives that may result in the undertaking having no adverse effect on historic properties or proceeding in accordance with stipulation 3.D.2. of this agreement.

- 2) **Finding of Adverse Effect** - If the WSDOT determines that the undertaking will have an adverse effect on historic properties, they will notify FHWA and FHWA will ensure the Section 106 process is completed in accordance with 36 **CFR 800.6**.

4. Historic Bridges

- A. WSDOT shall use the bridge list developed by the Historic Bridge Inventory to determine the eligibility of bridges. All bridges considered not eligible for the National Register will not require further evaluation, unless the passage of time, changing perceptions of significance, or incomplete prior evaluations necessitate re-evaluation of their eligibility status.
- B. WSDOT shall consult with SHPO to market appropriate bridges. "Category 2 bridges" is a classification used only in the 1980 Historic Bridge Inventory to represent bridges constructed prior to 1940 that were noteworthy but not National Register eligible. In the event the Category 2 bridges cannot be sold, WSDOT agrees to take large format (4X5 inch or larger) black and white archivally processed photographs of these bridges before they are demolished or rehabilitated, and provide a copy of these photographs to the SHPO.
- C. WSDOT shall consult with the SHPO on the development of a book for the general public on Washington's historic bridges. Development of this book shall be considered adequate mitigation for future replacement of the Category 2 bridges built 1940 or earlier, which will not be subject to further review for National Register eligibility.

- D. Bridge replacement projects that require a change in alignment, beyond previous construction disturbance, shall undergo a review as per 36 CFR Part 800.
- E. Bridge replacements in historic districts shall also undergo individual review under 36 CFR Part 800, as they may be contributing elements of a historic district.

5. Monitoring

The Council and the SHPO may monitor activities carried out pursuant to this Programmatic Agreement, and the Council will review such activities if so requested. The FHWA and WSDOT shall cooperate with the Council and the SHPO in carrying out their monitoring and review responsibilities.

6. Terminate, Modify, and Amend

Any party to this Programmatic Agreement may terminate it for cause by providing thirty (30) days written notice to the other parties, provided that the parties shall consult during the period prior to termination to seek agreement on amendments or other action that would avoid termination. In the event of termination, the FHWA shall conduct individual project review pursuant to 36 CFR Part 800.

All parties to this agreement agree to conduct a review of its effectiveness no earlier than six months and no later than 15 months after its initiation. A review may result in mutually agreed upon modifications to the stipulations listed above.

Execution and implementation of this Programmatic Agreement evidences that the Federal Highway Administration has afforded the Council an opportunity to comment on this Programmatic Agreement and that FHWA has taken into account the effects of the undertakings on historic properties.

Division Administrator
Federal Highway Administration

State Historic Preservation Officer
Washington State Office of Archaeology
And Historic Preservation

Chair
Advisory Council on Historic
Preservation

Secretary of Transportation
Washington State Dept. of Transportation

Effective 7/18/00

Discipline Report Checklist Cultural Resources

Project Name: _____ Job Number: _____

Contact Name: _____

Date Received: _____ Date Reviewed: _____ Reviewer: _____

(SAT = Satisfactory; INC = Incomplete; MIS = Missing; N/A = Not Applicable)

Answers are required for questions which have no N/A box.

I. Introduction

SAT	INC	MIS	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		A. Identified CR survey and research methods.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		B. Identified information resources (reports, agency contacts, etc.)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		C. Provided project vicinity map(s) which include:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		1. Project alternatives and ROW lines.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		2. Significant geographic features and landmarks.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		3. Jurisdictional boundaries.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4. Identified historic properties (National Register – listed and eligible properties) that are located within the project's area of potential effects.

II. Affected Environment

SAT	INC	MIS	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A. Provided a description of the affected historic properties which included information on the characteristics that qualify each property for inclusion in the National Register.

III. Impacts

SAT	INC	MIS	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A. Identified the potential impacts from each project alternative on each historic property. The report considered construction and operational impacts from project development.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B. Identified the cumulative environmental effects of the proposed actions, in the context of other actions in the surrounding environs.

IV. Mitigation

SAT **INC** **MIS** **N/A**

- | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | A. Suggested possible mitigation measures for each adverse impact addressed in the previous section. A Memorandum of Agreement among consulting parties will be developed and executed to stipulate resolution of adverse effects. |
|--------------------------|--------------------------|--------------------------|--------------------------|--|

V. Summary

The summary must include enough detail so that it can be included in the EIS with only minor modification. The summary must include:

SAT **INC** **MIS** **N/A**

- | | | | | |
|--------------------------|--------------------------|--------------------------|--|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | A. Summary of the analysis done and conclusions reached. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | B. The objectives of the project. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | C. Historic and cultural resources present in project area. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | D. Impacts of all alternatives, including the no-build alternative. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | E. Recommended mitigation. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | F. Comparison of alternatives based on impacts and cost-effectiveness of mitigation. |

General Comments: _____

February 1999

Section 106 Regulations Users Guide

National Register Evaluation Criteria

The following criteria are established by the Advisory Council on Historic Preservation. For current criteria see:

 <http://www.achp.gov/>

National Register Criteria for Evaluating Properties

The criteria applied to evaluate properties (other than areas of the National Park System and National Historic Landmarks) for the National Register are listed below. These criteria are worded in a manner to provide for a wide diversity of resources. The following criteria shall be used in evaluating properties for nomination to the National Register, by the National Park Service (NPS) in reviewing nominations, and for evaluating National Register eligibility of properties.

Guidance in applying the criteria is further discussed in the “How To” publications, Standards & Guidelines sheets, and Keeper’s opinions of the National Register. Such materials are available upon request from National Register of Historic Places Publications, National Park Service, P.O. Box 37127, Washington, D.C., 20013-7127 (phone: 202-343-5726).

Criteria for Evaluation

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and

- (a) that are associated with events** that have made a significant contribution to the broad patterns of our history; or
- (b) that are associated with the lives of persons** significant in our past; or
- (c) that embody distinctive characteristics** of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- (d) that have yielded, or may be likely to yield, information** important in prehistory or history.

Criteria Considerations

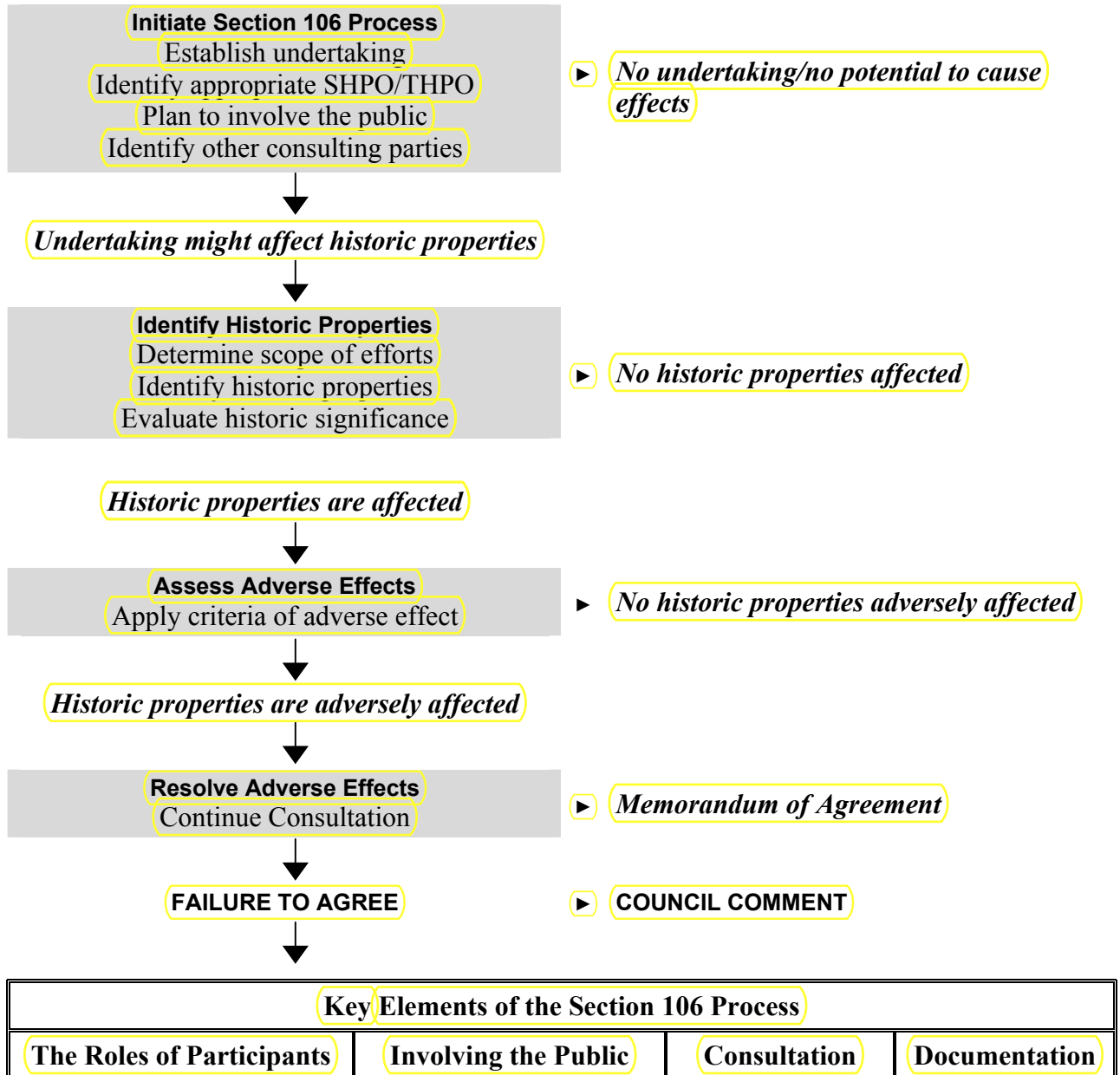
Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- (a) **A religious property** deriving primary significance from architectural or artistic distinction or historical importance; or
- (b) **A building or structure removed from its original location** but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- (c) **A birthplace or grave** of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his productive life.
- (d) **A cemetery** which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- (e) **A reconstructed building** when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
- (f) **A property primarily commemorative** in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or
- (g) **A property achieving significance within the past 50 years** if it is of exceptional importance. [This exception is described further in NPS's "How To" booklet No. 2, entitled "How to Evaluate and Nominate Potential National Register Properties That Have Achieved Significance Within the Last 50 Years," available from NPS.]



Section 106 Regulations Flow Chart Procedures for Cultural Resources

Section 106 Regulations – Users' Guide



Source: Advisory Council on Historic Preservation (<http://www.achp.gov>)



WSDOT Historic Bridge Rehabilitation Guidelines

For projects involving rehabilitation of historic bridges, the following specific guidelines should be followed for structural upgrading, geometric modification, and materials repair and maintenance. Budgetary constraints, geographic location, and good judgment will determine which apply to a particular project.

Structural Upgrading

- A. Identify the structural system and its historically significant features. Use nondestructive testing techniques.
- B. Explore passive solutions that limit the live load by restricting vehicles. Examples include load posting, signaling, and channelization.
- C. Respect the structural system and retain its visual characteristics if modifications are necessary.
 - 1. If possible, retain the load-carrying system in its original configuration.
 - 2. If possible, reduce the dead load by providing a lighter deck system.
 - 3. If the load-carrying system must be altered, retain the character-defining visual qualities of the original structural system. The visual impact to systems that are modified can be minimized by using structure continuity and king post-truss beam reinforcement; changing the configuration of isolated members or adding helping structures; adding supplemental members under the deck of the structure.
- D. When more visually intrusive structural modifications are required, keep them as inconspicuous as possible, and try to preserve the primary view and impact only secondary views.
 - 1. Bridges that carry highway traffic are seen by roadway travelers from afar, in elevation, and while traveling on the bridge deck. Make modifications with this in mind.
 - 2. Where the primary view is from below the bridge (e.g., canal bridges no longer in vehicular service), make modifications accordingly.
- E. Design modifications with the least possible loss of historic material. Do not obscure, damage, or destroy the historically significant features of the bridge.
- F. Clearly differentiate structural modifications or helping structures from the historic bridge. The design should be compatible in terms of mass, materials, scale, and detail but should not dominate the historical portion.
- G. Design and install traffic railings, or safety barriers, to avoid or minimize visual impacts to the character-defining features of the bridge.

- H. Replace deteriorated structural elements in kind or with a material that duplicates the visual appearance of the original element.

Geometric Modifications

- A. Determine realistic needs for geometric parameters in light of connecting highways, projected traffic volumes, accident history, and the nature of future traffic needs.
- B. Explore passive (off-bridge) solutions.
 - 1. Adjust alignment of the approaches, restrict the bridge to one-way traffic, or both.
 - a. Create holding lanes for traffic at the approaches to a one-lane bridge, with appropriate provisions for safety.
 - b. Leave the historic bridge in place for one lane of traffic and move another visually compatible historic bridge to an adjacent site to carry the second lane.
 - c. Leave the historic bridge in place for one lane of traffic and construct a visually compatible new bridge on an adjacent site for the second lane.
 - 2. Adjust the flow of approaching traffic by restricting vehicles, restricting speed, or installing signs and traffic signals.
- C. Alter the geometric configuration of the bridge to remedy geometric deficiencies.
 - 1. To increase the vertical clearance on through bridges, reduce the depth of the portal frames and sway frames, with minimum destruction of the historic materials used in the bridge's original construction.
 - 2. To increase the vertical clearance on grade-separation structures, raise the superstructure or lower the roadway.
 - 3. To increase the roadway width, some types of structures can be modified (e.g., multigirder, some concrete and stone bridges). Design modifications to be compatible with the appearance and scale of the original bridge.
 - a. Provide sidewalks external to the bridge for pedestrian safety.
 - b. Widen the bridge by cantilevering a new deck from either side of the existing structure, where structurally feasible and aesthetically and historically appropriate.

Materials Repair and Maintenance

- A. Identify features that are important in defining the overall historic character of the bridge. Consult an architectural historian or similar professional with expertise in historic bridge preservation/ rehabilitation.
- B. Repair historic materials, if possible. If replacement of a feature is necessary, replace in kind or with a compatible substitute material.

1. Concrete: Superstructure and substructure

a. Damage caused by drainage and vegetation

- (1) Provide proper deck drainage systems that do not damage or promote deterioration of the superstructure or substructure.
- (2) Remove vegetation growing on bridge superstructure or substructure.

b. Cleaning

- (1) Clean concrete only when necessary to halt deterioration or to remove heavy soiling.
- (2) Clean concrete with the least destructive method possible.
- (3) Use proposed cleaning method on test patches to determine long-range detrimental effect of cleaning.

c. Crack Sealing

- (1) Remove deteriorated concrete by carefully hand raking cracks to avoid damaging sound areas.
- (2) Material used to seal cracks should match old concrete in composition, color, and texture.

d. Repair of deteriorated sections

- (1) Replace extensively deteriorated or missing features in kind or with a compatible substitute material.
- (2) Avoid applying nonhistoric coatings, such as stucco, gunite, and sealants to concrete surfaces.

2. Metals

- a. Cleaning. Identify metallic composition prior to cleaning, then test in patches for least destructive cleaning method. Use the least destructive cleaning methods possible to remove paint buildup and corrosion. For example, if hand scraping and wire brushing prove ineffective, low pressure dry grit blasting may be used as long as it does not damage the structural integrity of the bridge.
- b. Repaint with colors appropriate to the history of the bridge.
- c. Replace deteriorated or missing decorative elements in kind or with compatible substitutes.

3. Wood

- a. Repair historic wood features by patching or reinforcing, using recognized preservation techniques.
- b. Replace irreparable historic wood features in kind. If replacement in kind is not possible, use substitute materials that are compatible in texture and form, and that convey the same visual appearance as the original.



Washington State Historic Highway Bridges

The following bridges are included in the WSDOT Bridge Inventory and are listed in or eligible for listing in or have been nominated to the National Register (NR). HAER indicates having a Historic American Engineering Record report and/or large format photos completed. No privately owned historic bridges are listed here.

No.	Name	Date Built	Owner	County	Status
129/2	Grande Ronde River Bridge	1941	WSDOT	Asotin	NR
12/903	Indian Timothy Memorial Bridge	1923	WSDOT	Asotin	NR/HAER
225/1	Benton City-Kiona Bridge	1957	WSDOT	Benton	NR Nominated
82/280S	Columbia River Bridge at Umatilla	1955	WSDOT	Benton	NR Nominated
395/40	Pioneer Memorial Bridge	1954	WSDOT	Benton	NR Nominated
	Penstock Bridge	ca. 1909	Local	Chelan	NR
285/20W	Wenatchee Avenue SB Bridge	1954	WSDOT	Chelan	NR Nominated
285/20E	Wenatchee Avenue NB Bridge	1933	WSDOT	Chelan	NR Eligible
	Wenatchee-Columbia River Bridge	1906-1908	Local	Chelan	NR
306	West Monitor Bridge	1907	County	Chelan	NR
285/10	Columbia River Bridge at Wenatchee	1950	WSDOT	Chelan-Douglas	NR
30000 BR 1	Elwha River Bridge	1913/1966	County	Clallam	NR
5/1E	Vancouver/Portland (Columbia River) Interstate Bridge	1916	WSDOT	Clark	NR
5/1W	Vancouver/Portland (Columbia River) Interstate Bridge	1959	WSDOT	Clark	NR Eligible
503/26	Lewis R. Yale Bridge	1932/1957	WSDOT	Clark	NR/HAER
261/125	Snake River/Lyons Ferry Bridge	1927	WSDOT	Columbia-Franklin	NR/HAER
503/112	Jim Creek Bridge	1945	WSDOT	Cowlitz	NR
433/1	Longview (Lewis & Clark) Bridge	1929	WSDOT	Cowlitz	NR/HAER
3535001	Modrow Bridge	1958	County	Cowlitz	NR Nominated
26.5ENE	Chief Joseph Dam Bridge	1958	County	Douglas	NR Nominated
17/401	Columbia River Bridge at Bridgeport	1952	WSDOT	Douglas-Okanogan	NR/HAER
2	Curlew Bridge	1908/1970	County	Ferry	NR
224	Barstow Bridge	1946 (purchased)	Local	Ferry-Stevens	NR
395/545	Columbia River Bridge at Kettle Falls	1941	WSDOT	Ferry-Stevens	NR/HAER
101/115	Chehalis River Bridge	1955	WSDOT	Grays Harbor	NR Nominated
101/125W	Hoquiam River Bridge	1928/1948	WSDOT	Grays Harbor	NR/HAER
101/266	Duckabush River Bridge	1934	WSDOT	Jefferson	NR
116/5	Portage Canal Bridge	1951	WSDOT	Jefferson	NR Nominated
	12th Avenue South Bridge Over Dearborn Street	1911-1912	Local	King	NR
	14th Avenue South Bridge	1931	County	King	NR
99/540 NB & SB	Alaskan Way Viaduct	1952	WSDOT	King	NR Eligible
	Arboretum Sewer Trestle	1910	Local	King	NR
99/560	Aurora Avenue (George Washington Memorial) Bridge	1931	WSDOT	King	NR/HAER

No.	Name	Date Built	Owner	County	Status
	Ballard Bridge	1917	Local	King	NR
509A	Baring Bridge	1899/1930	County	King	NR Eligible
99/541	Battery Street Tunnel	1954	WSDOT	King	NR Eligible
15	Cowen Park Bridge	1936	Local	King	NR
99/530E	Duwamish River Bridge	1956	WSDOT	King	NR Eligible
2605A	Foss River Bridge	1951	County	King	NR Nominated
	Fremont Bridge	1917	Local	King	NR
3032	Green River Gorge Bridge	1914/1991	County	King	NR Eligible
5/570	Lake Washington Ship Canal Bridge	1962	WSDOT	King	NR Eligible
999W	Miller River Bridge	1922	County	King	NR Eligible
513/12	Montlake Bridge	1924	Local	King	NR/HAER
90/24	Mount Baker Ridge Tunnel	1940	WSDOT	King	NR/HAER
2550A	Mount Si Bridge	1955	Local	King	NR Nominated
27	North 102 nd Street Pedestrian Bridge	1960	Local	King	NR Eligible
3015	Patton Bridge	1950	Local	King	NR
1008E	Raging River Bridge	1915	County	King	NR Eligible
58	Ravenna Park Bridge	1913-1914	Local	King	NR
3139	Saltwater State Park Bridge	1934	County	King	NR Eligible
13	Schmitz Park Bridge	1935-1936	Local	King	NR
1023A	Stossel Bridge	1951	County	King	NR Nominated
	University Bridge	1915-1919	Local	King	NR
	Yesler Way Bridge over 4th Avenue	1909-1921	Local	King	NR eligible
305/10	Agate Pass Bridge	1950	WSDOT	Kitsap	NR
303/12	Port Washington Narrows Bridge	1958	WSDOT	Kitsap	NR Nominated
90/110	Lake Keechelus Snowshed Bridge	1951	WSDOT	Kittitas	NR/HAER
110	B-Z Corner Bridge	1957	County	Klickitat	NR Nominated
197/1	Columbia River Bridge at The Dalles	1954	WSDOT	Klickitat	NR Eligible
142/9	Klickitat River Bridge	1954	WSDOT	Klickitat	NR Nominated
25/6	Spokane River Bridge at Fort Spokane	1941	WSDOT	Lincoln-Stevens	NR/HAER
231/101	Spokane River Bridge at Long Lake Dam	1949	WSDOT	Lincoln-Stevens	NR/HAER
3/3	Goldsborough Creek Bridge	1923	WSDOT	Mason	NR
101/403	North Hamma Hamma River Bridge	1924	WSDOT	Mason	NR/HAER
101/404	South Hamma Hamma River Bridge	1924	WSDOT	Mason	NR/HAER
155/101	Grand Coulee Bridge	1935	WSDOT	Okanogan	NR/HAER
509/5	City Waterway Bridge	1911	WSDOT	Pierce	NR/HAER
E-7	East 34th Street Bridge, Pacific to A Street	1937	Local	Pierce	NR
165/10	Fairfax (Carbon River) Bridge	1921	WSDOT	Pierce	NR/HAER
162/6	McMillin (Puyallup River) Bridge	1934	WSDOT	Pierce	NR/HAER
N2	North 21st Street Bridge	1910-1911	Local	Pierce	NR/HAER
N3	North 23rd Street Bridge	1909-1910	Local	Pierce	NR
302/105	Purdy Creek Bridge	1936	WSDOT	Pierce	NR/HAER
16/110	Tacoma Narrows Bridge	1950	WSDOT	Pierce	NR

No.	Name	Date Built	Owner	County	Status
					Eligible/HAER
1130	Winnifred Street Bridge	1941	Local	Pierce	NR
20/259	Baker River Bridge	1916-1917	WSDOT	Skagit	NR/HAER
40090	Dalles Bridge	1952	County	Skagit	NR Nominated
20/204	Deception Pass Bridge	1935	WSDOT	Skagit-Island	NR/HAER
40039	Rainbow Bridge	1957	County	Skagit	NR Nominated
207	Conrad Lundy Jr. Bridge	1960	County	Skamania	NR Nominated
537	Red Bridge	1954	County	Snohomish	NR Nominated
529/10W	Snohomish River Bridge	1954	WSDOT	Snohomish	NR Nominated
529/20E	Steamboat Slough Bridge	1954	WSDOT	Snohomish	NR Nominated
02	Greene Street Bridge over Spokane R.	1955	Local	Spokane	NR Nominated
16	Maple Street Bridge	1958	Local	Spokane	NR Nominated
2404	Marshall Bridge	1949	Local	Spokane	NR
371001001	Monroe Street Bridge	1909-1911	Local	Spokane	NR/HAER
	Sunset Boulevard/Latah Creek Bridge	1911-1914	Local	Spokane	NR
25/130	Columbia River Bridge at Northport	1946-1949	WSDOT	Stevens	NR
5/322	Capitol Boulevard Bridge	1936/1991	Local	Thurston	NR
5/316	Custer Way Undercrossing	1956	WSDOT	Thurston	NR Nominated
	Lower Custer Way Crossing Bridge	1915	Local	Thurston	NR
10	Grays River Covered Bridge	1905/1989	County	Wahkiakum	NR/HAER
760136001	Waitsburg Bridge	1925	Local	Walla Walla	NR
20/323	Gorge Creek Bridge	1955	WSDOT	Whatcom	NR Nominated
140	Middle Fork Nooksack River Bridge	1915	County	Whatcom	NR
396	Donald-Wapato Bridge	1948	Local	Yakima	NR
485	Toppenish-Zillah Bridge	1947	Local	Yakima	NR

The following Category II (County and state) bridges are of Local historic or engineering significance but are not eligible for or listed in the National Register. This list is current as of June 2002.

No.	Name	Date Built	Owner	County
219	Hooper Bridge	1911/1995	County	Adams
Lind2	Lind Coulee-Nielsen St.	1912	Local	Adams
198	Batum-Rocky Coulee Bridge	1914	County	Adams
142	North Lund Bridge	1914	County	Adams
201	Rock Creek Bridge	1914	County	Adams
195	Lauer North Bridge	1914	County	Adams
23	Kiesner Bridge	1915	County	Adams
160	Hatton Two Bridge	1915/1959	County	Adams
186	Schragg Bridge	1917	County	Adams
180	Kisler Bridge	1918	County	Adams
184	Kagele Bridge	1920	County	Adams
Asotin2	Asotin County Memorial Bridge	1920	Local	Asotin
12/915	Snake River/Clarkston Bridge	1939	WSDOT	Asotin
12/408	Prosser Bridge	1931	WSDOT	Benton
603	Plain Bridge (currently closed to traffic)	1909/1927	County	Chelan
408	Peshastin Creek Bridge (Sanders)	1920	County	Chelan
503	Old Griffith Bridge	1921	County	Chelan
406A	Dryden	1927	County	Chelan
Chelan1	Chelan Bridge	1927	Local	Chelan
401	West Cashmere	1929	County	Chelan
305	Monitor Bridge	1930	County	Chelan
2/226N	Wenatchee River Bridge	1929	WSDOT	Chelan
97/359	Knapps Hill Tunnel	1936/1968	WSDOT	Chelan
2/108	Tunnel	1937	WSDOT	Chelan
207/4	Wenatchee River Bridge	1940	WSDOT	Chelan
101/334	Elwha River Bridge	1926/1959	WSDOT	Clallam
11200 Br.1	Quillayute Road Bridge	1929/1962	County	Clallam
101/308	Calawah River Bridge	1938	WSDOT	Clallam
21	LaCenter Bridge	1923	County	Clark
26	Betts Bridge	1935/1949	County	Clark
503/6	Salmon Creek Bridge	1923	WSDOT	Clark
5/36E	East Fork Lewis River Bridge	1936	WSDOT	Clark
5/40W	Lewis River Bridge	1940	WSDOT	Clark
018620001	Beulah Drive Separation (Buland Bridge)	1900	County	Cowlitz

No.	Name	Date Built	Owner	County
56930001	Toutle River Bridge	1935	County	Cowlitz
11	Hedlund/Boyd Bridge	1940	County	Ferry
	Sherman Creek Bridge	1940	County	Ferry
12/802	Patasha Creek Bridge	1920	WSDOT	Garfield
126/102	Owsley Bridge	1940/1949	WSDOT	Garfield
209	6 North East/Ruff Bridge	1914	County	Grant
168	Grandview Bridge	1920/1960	County	Grant
255	East Weber Coulee Bridge	1938	County	Grant
254	West Weber Coulee Bridge	1938	County	Grant
12/12N	Wishkah River Bridge	1925/1945	WSDOT	Grays Harbor
9641/1.7	Sickman Ford Bridge	1929/1999	County	Grays Harbor
4599/0.2	Panhandle Bridge	1930/1985	County	Grays Harbor
12/176	Black River Bridge	1932	WSDOT	Grays Harbor
Aberdeen5	Sixth Street Bridge	1937	Local	Grays Harbor
9710/6.4	Satsop River Bridge	1938	County	Grays Harbor
101/217	Hoh River Bridge	1931	WSDOT	Jefferson
101/256	Big Quilicene River Bridge	1936	WSDOT	Jefferson
3130	Alv T. Bridge	1914/1970	County	King
404B	Novelty Bridge	1920/2000	County	King
1726A	Meadowbrook Bridge	1921/1971	County	King
1834A	Tolt Bridge	1922/1968	County	King
3188	Newaukum Creek Bridge	1927	County	King
3215	Duwamish 99	1928	County	King
1071A	Kenmore Bridge	1938/1970	County	King
509/103	Younglove Creek Bridge	1929/1996	WSDOT	King
202/60	Snoqualmie River Bridge	1931	WSDOT	King
169/8	Green River (Dan Ey) Bridge	1932	WSDOT	King
99/574	North 63rd Street Overcrossing	1932	WSDOT	King
2/116	South Fork Skykomish River Bridge	1938	WSDOT	King
99/530	1st Avenue South Bridge (Duwamish River)	1956/1998	WSDOT	King
513/14	Pedestrian U.S. Undercrossing	1900	WSDOT	King
303/4	Manette Bridge	1930/1949	WSDOT	Kitsap
90/132S	Yakima River Bridge	1917/1930	WSDOT	Kittitas
906/103	Hyak Creek Bridge	1928	WSDOT	Kittitas
10/142	Teanaway River Bridge	1930	WSDOT	Kittitas
97341	Thorp Highway Bridge	1936	County	Kittitas

No.	Name	Date Built	Owner	County
3112	Railroad Street Bridge	1937/1991	County	Kittitas
14/222	Horsethief Canyon Bridge	1931	WSDOT	Klickitat
14/212	Klickitat River Bridge	1933	WSDOT	Klickitat
14/215	tunnel	1933	WSDOT	Klickitat
14/216	Lyle Tunnel No. 7	1933	WSDOT	Klickitat
109	Winegartner Bridge	1940/1957	County	Klickitat
141/5	White Salmon River Bridge	1940	WSDOT	Klickitat
54	Walter Annonen Bridge	1910/1961	County	Lewis
108	Jones Bridge	1917/1974	County	Lewis
109	Mineral Creek Bridge	1920/1962	County	Lewis
36	Coughlin Bridge	1922/1966	County	Lewis
87	Mays Bridge	1922	County	Lewis
90	Teitzel Bridge	1922/1941	County	Lewis
508/28	Tilton River Bridge	1923/1940	WSDOT	Lewis
1	Garnet Bridge	1924/1964	County	Lewis
6/115	South Fork Chehalis River Bridge	1925	WSDOT	Lewis
97	Gish Bridge	1926/1996	County	Lewis
20	Newaukum River Bridge	1926	County	Lewis
98	Guerrier Bridge	1927	County	Lewis
99	Hendrickson Bridge	1927	County	Lewis
507/8	Skookumchuck River Bridge	1928	WSDOT	Lewis
6/105	Chehalis River Bridge	1931	WSDOT	Lewis
117	Lake Creek Bridge	1936	County	Lewis
6/123	Chehalis River Riverside Bridge	1939	WSDOT	Lewis
143 27221	Reith Bridge	1911/1983	County	Lincoln
48331	Crystal Springs Bridge	1916	County	Lincoln
14010336	Kennedy Creek Bridge	1917	County	Mason
101/418	Skokomish River Bridge	1932	WSDOT	Mason
155/111	Okanogan River Bridge	1923	WSDOT	Okanogan
20/624	Methow River Bridge	1929/1950	WSDOT	Okanogan
20/651	Bonaparte Creek Bridge	1933	WSDOT	Okanogan
153/20	Methow River Bridge	1935	WSDOT	Okanogan
947001	Fern Creek Bridge	1916	County	Pacific
48441	Lebam Bridge	1917	County	Pacific
6/12	Forks Creek Bridge	1918/1939	WSDOT	Pacific
6/8	Willapa River Bridge	1930	WSDOT	Pacific
101/3	Fort Columbia Tunnel	1932	WSDOT	Pacific
3705	Ione Bridge (approaches rebuilt 1967)	1932/1967	County	Pend Oreille

No.	Name	Date Built	Owner	County
31/42	Slate Creek Bridge	1933	WSDOT	Pend Oreille
18164-A	Ohop Creek Bridge	1919	County	Pierce
18164-B	Ohop Creek Overflow Bridge	1919	County	Pierce
167/20E	Puyallup River Bridge	1925/1951	WSDOT	Pierce
2424-A	Stuck River Bridge	1927	County	Pierce
509/101	F.B. Hoit No. 3/Dash Point Bridge	1929	WSDOT	Pierce
18204-A	Puyallup River Bridge	1931	County	Pierce
123/106	tunnel	1935	WSDOT	Pierce
162	NP Railway Overcrossing	1936	WSDOT	Pierce
5/345E	Nisqually River Bridge	1937/1948	WSDOT	Pierce
24164-A	Mashell River Bridge	1937	County	Pierce
14203-A	Squally Creek Bridge	1937	County	Pierce
123/104	Deer Creek Bridge	1938	WSDOT	Pierce
19204-D	Peterson Road Bridge	1939	County	Pierce
509/2	Hylebos Waterway Bridge	1939/2000	WSDOT	Pierce
9/210	South Fork Nookachamps Creek Bridge	1920	WSDOT	Skagit
11/4	Samish River Bridge	1920	WSDOT	Skagit
40111	BN Overpass	1925	County	Skagit
40152-40153	Guemes Island Ferry Dock Bridge	1925/1996	County	Skagit
5/709	2nd Street Undercrossing	1929/1954	WSDOT	Skagit
40070	Marblemount Bridge	1930	County	Skagit
40099	Government Bridge	1930	County	Skagit
40156	Carpenter Creek Bridge	1934	County	Skagit
40114	Samish River Bridge	1934	County	Skagit
14/128	Tunnel No. 1	1937	WSDOT	Skamania
14/129	Tunnel No. 2	1937	WSDOT	Skamania
14/130	Tunnel No. 3	1937	WSDOT	Skamania
14/133	Tunnel No. 4	1937	WSDOT	Skamania
14/134	Tunnel No. 5	1937	WSDOT	Skamania
old 103	Thomlee Bridge	1913	County	Snohomish
42	Jim Creek Bridge	1914	County	Snohomish
5	Pilchuck River Bridge	1914/1996	County	Snohomish
247	Portage Creek Bridge	1922/1972	County	Snohomish
91	South Slough Bridge	1922	County	Snohomish
414	Sauk River Bridge	1930/1980	County	Snohomish
44	Machias—OK Bridge*	1931	County	Snohomish
102	Granite Falls Bridge	1931	County	Snohomish
529/10E	Snohomish River Bridge	1927	WSDOT	Snohomish
529/20W	Steamboat Slough Bridge	1927/1954	WSDOT	Snohomish
2/35	Skykomish River Bridge	1932	WSDOT	Snohomish

No.	Name	Date Built	Owner	County
2/40	South Fork Skykomish River Bridge	1933	WSDOT	Snohomish
5/670W	Stillaguamish River Bridge	1933	WSDOT	Snohomish
2/48	Barclay Creek Bridge	1934	WSDOT	Snohomish
2/115A	South Fork Skykomish River Bridge	1939	WSDOT	Snohomish
2/26	Sultan River Bridge	1940	WSDOT	Snohomish
2/30	Wallace River Bridge	1940	WSDOT	Snohomish
3407	Hatch Road Bridge	1919/1964	County	Spokane
3404	Argonne Road Bridge	1920/1973	County	Spokane
3806	North Road Overcrossing	1935	County	Spokane
3612	Francis Avenue Bridge	1939	County	Spokane
290/4	West Trent (Spokane River) Bridge	1917	WSDOT	Spokane
254	Arden Bridge	1917	County	Stevens
224	Barstow Bridge	1947/1986	County	Stevens
D-1 34019	Durgin Road Tunnel	1912	County	Thurston
15	Salmon Creek Bridge	n.d.	WSDOT	Wahkiakum
4/110	Grays River Bridge	1938	WSDOT	Wahkiakum
4/120	Skamokawa Creek Bridge	1939	WSDOT	Wahkiakum
7	Mid-Valley Creek (Peterson Road) Bridge	1950	County	Wahkiakum
3959	Dell Sharp Bridge	1914	County	Walla Walla
6910	Whiskey Creek (Substation) Bridge	1916	County	Walla Walla
6616	Evans Bridge	1920	County	Walla Walla
9319	Lowden Bridge	1920	County	Walla Walla
9337	Johnson (Touchet River) Bridge	1929	County	Walla Walla
1707	Reese Station Bridge	1935	County	Walla Walla
12/619	Walla Walla River Bridge	1917/1933	WSDOT	Walla Walla
12/624	Touchet River Bridge	1919/1937	WSDOT	Walla Walla
12/630	Woodward Creek Bridge	1919/1937	WSDOT	Walla Walla
12/631	Woodward Creek Bridge	1919/1937	WSDOT	Walla Walla
12/660	Dry Creek Bridge	1920/1969	WSDOT	Walla Walla
148	South Fork of the Van Zandt Bridge	1927/1974	County	Whatcom
1	Little Squalicum Bridge	1933/1955	County	Whatcom
252	Nooksack River Bridge	1934/1955	County	Whatcom
504/503	Gooseberry Point/Lummi Island Ferry Bridge	1950/1987	County	Whatcom
542/30	North Fork of the Nooksack River Bridge	1931	WSDOT	Whatcom
126000077	Seltice Bridge	1912	County	Whitman
2-17	Staley No. 3 Bridge	1912	County	Whitman
2-21	Edmondson Bridge	1914	County	Whitman
1-26	Kenova Bridge	1916	County	Whitman

No.	Name	Date Built	Owner	County
1-108	McLead Bridge	1916/1969	County	Whitman
3-36	White Elephant Bridge	1917	County	Whitman
436	Old Naches Bridge	1918	County	Yakima
801	Old Naches Bridge	1918	County	Yakima
398	Parker Heights Bridge	1919	County	Yakima
401	Zillah Heights Bridge*	1920/1965	County	Yakima
460	Old Naches Road Bridge	1922	County	Yakima
786	Powerhouse (Naches River) Bridge	1922	County	Yakima
448	Englewood Bridge	1930	County	Yakima
163	Country Club Bridge	1938	County	Yakima
410/220	Little Naches River Bridge	1928	WSDOT	Yakima
82/114N	Yakima River Bridge	1932	WSDOT	Yakima
12/317	Tieton River No. 1 Bridge	1933	WSDOT	Yakima
12/316	Tieton River No. 2 Bridge	1933	WSDOT	Yakima
12/308	Rimrock Tunnel	1936	WSDOT	Yakima

Examples of Historic Bridge Rehabilitation Projects

Grays River Covered Bridge (built 1905), Wahkiakum County, WA

Bridge Type: Timber Howe through truss span with steel tension rods, tin roof, and cedar siding

Rehabilitation Cost: \$343,705 Estimated Cost of New Bridge: about the same as rehabilitation

Project Summary: Retained the existing center pier, replaced the truss (upper and lower chords) with glue laminated members, salvaged existing tension rods, bearing plates, other hardware, and materials from the existing cover of the bridge to be reused in the reconstruction.

Second Street Bridge (built 1886), Allegan, MI

Bridge Type: Double-intersection Pratt through truss (Whipple-Murray truss)

Rehabilitation Cost: \$500,000 Estimated Cost of New Bridge: \$1.5 million

Project Summary: Disassembled truss and replaced deteriorated members with new ones matching the originals; used bolts rather than rivets, matching the original appearance; changed to carry one-way traffic; received exemption from AASHTO standards for historical considerations.

Smithfield Street Bridge (built 1883), Pittsburgh, PA

Bridge Type: Steel lenticular truss

Rehabilitation Cost: \$16 million Estimated Cost of New Bridge: \$30 million

Project Summary: Replaced deteriorated bridge deck and railings; retrofitted structural eyebars to eliminate fatigue cracking; repaired masonry and mortar on piers and abutments; installed a new lighting scheme to illuminate the bridge and to serve as a city landmark and gateway.

Cornish/Windsor Covered Bridge (built 1966), Windsor, VT, and Cornish City, NH

Bridge Type: "Town Lattice" covered timber

Rehabilitation Cost: \$4.3 million Estimated Cost of New Bridge: \$5.5 million

Project Summary: Replaced overstressed structural members with new prefabricated glue-laminated timbers (solid timbers of the original size are not commercially available); preserved the bridge's structural system, appearance, and setting.

West Fifth Street Bridge (built 1925), Ashtabula, OH

Bridge Type: Single-leaf Brown (Mystic-type) bascule

Rehabilitation Cost: \$3 million Estimated Cost of New Bridge: \$6 million

Project Summary: Disassembled the moving span; replaced truss span stringers and floorbeams; replaced deteriorated lower chord connections; replaced bridge deck; repaired concrete and steel railing; constructed new fenders, abutment, and operator's house; installed new electrical and mechanical systems; rebalanced the structure by increasing the weight of the counterweight.

Source: Jester, Thomas C. "Preserving Historic Bridges," *CRM Supplement*, volume 15, number 2, 1992. Washington, D.C.: U.S. Department of the Interior, National Park Service.

Other examples of historic bridge rehabilitation projects may be found in *The Society of Industrial Archaeology Newsletter*, volume 18, number 1, 1989. Washington, D.C.: National Museum of History.

Sample Memorandum of Agreement on Projects Affecting Historic Bridges

WHEREAS, the Federal Highway Administration (FHWA) has determined that the _____ Project will have an effect upon a historic property (eligible for/listed in) the National Register of Historic Places; and

WHEREAS, the FHWA has requested the comments of the Advisory Council on Historic Preservation (Council) pursuant to the National Historic Preservation Act of 1966, as amended, and its implementing regulations;

NOW THEREFORE, the FHWA the Washington State Historic Preservation Officer (SHPO), and the Council agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on the historic property.

Stipulations

_____ Bridge

FHWA will ensure that the following measures are carried out:

1. The _____ Bridge will be documented prior to its removal (in the case of demolition as a proposed alternative) so that there will be a permanent record of its present appearance and history. The level of documentation shall be determined appropriate (as per agreement) in consultation between the SHPO and the Washington Department of Transportation (WSDOT). Copies of the documentation will be provided to the SHPO.
2. In consultation with the SHPO, the _____ Bridge shall be marketed as follows:
 - a. WSDOT will prepare an information package containing structure data, photographs, location map, information on its historic significance, estimated cost for relocation and requirements regarding relocation, rehabilitation, and maintenance. The package shall also include the relevant section of *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*. Respondents expressing an interest in acquiring the bridge shall be required to submit a relocation and reuse plan and specifics regarding the new site location.
 - b. A grant to defray the costs of disassembly and relocation, equal to the estimated cost of demolition of the bridge shall be offered to any recipient who will agree to abide by preservation covenants.

- c. The _____ Bridge will be advertised and a schedule for receiving and reviewing offers will be developed in consultation with the SHPO. All offers shall be reviewed in consultation with the SHPO.
 - d. The _____ Bridge will be offered for relocation with preference to potential recipients who agree to abide by preservation covenants (as developed in consultation with the SHPO).
- 3. If applicable, an Agreement to Execute Preservation Covenants shall be signed by the grantee at the same time that the bridge bill of sale or transfer is executed. (Such agreement will be recorded in the office of the Clerk and Recorder of the county in which the bridge is currently located. The preservation covenant will be executed according to the conditions of the Agreement to Execute Preservation Covenants). WSDOT or the present owner shall abide by an Interim Maintenance Plan to ensure that the _____ Bridge is maintained in satisfactory condition prior to transfer.
 - 4. If the _____ Bridge is relocated, the SHPO shall reevaluate the property in its new location and make a recommendation to the Secretary of Interior concerning its continued eligibility to the National Register of Historic Places.
 - 5. If there is no acceptable offer that will conform to the requirements of relocation, rehabilitation, and maintenance, the FHWA with the approval of the SHPO may permit transfer of all or part of the property without preservation covenants.
 - 6. If no new owner can be found to relocate the bridge, it shall remain the property of WSDOT and may be disposed of or demolished as deemed appropriate.
 - 7. If a dispute arises regarding implementation of this Agreement, the signatory parties will consult with the objecting party to resolve the dispute. If any consulting party determines that the dispute cannot be resolved, the FHWA shall request further comments of the Council pursuant to its regulations.
 - 8. Failure to carry out the terms of this Agreement requires that the FHWA again request the Council's comments. If the FHWA cannot carry out the terms of this Agreement, it will not take or sanction any action to make an irreversible commitment that would result in an adverse effect with respect to the eligible property covered by the Agreement or that would foreclose the Council's considerations of modifications or alternatives that could avoid or mitigate the adverse effect on the property, until the commenting process has been complete.
 - 9. If any of the signatories to this Agreement determine that the terms of the Agreement cannot be met or believe a change is necessary, that party will immediately request the consulting parties to consider an amendment or addendum which will be executed in the same manner as the original Agreement.

Within 90 Days after carrying out the terms of the Agreement, the FHWA shall report to all signatories on the actions taken.

Execution of this Memorandum of Agreement evidences that the FHWA has afforded the Council a reasonable opportunity to comment of the _____ Project and its effects on historic properties and that the FHWA has taken into account the effect of its undertaking on Historic properties.

Signatories

Federal Highway Administration

Date

Washington State Historic Preservation Officer

Date

Concur:

Advisory Council on Historic Preservation

Date

Washington State Department of Transportation

Date

Construction Procedures for Discovery of Archaeological and Historical Objects

Following are General Special Provisions to be added to contract specifications as indicated. These are current as of March 6, 2000. More recent updates may be available via WSDOT's web site:

 <http://www.wsdot.wa.gov>

Click on Site Index, then "P", then Project Development Branch, then **View** Amendments/General Special Provisions, then select a version of Division 1.

Or by direct link:

 <http://www.wsdot.wa.gov/eesc/CAE/pse/PLANTBCN.HTM>

 <http://www.wsdot.wa.gov/eesc/design/projectdev/gsppage1.htm>

GENERAL SPECIAL PROVISIONS DIVISION 1

0716.GR1 – Protection and Restoration of Property

07161.GR1 – Archaeological and Historical Objects (March 13, 1995)

Use in projects when reconnaissance studies indicate that the probability of finding cultural remains within the project limits are low. (Fill in blank to indicate specific areas of concern.)

It is national and state policy to preserve, for public use, historical and prehistorical objects such as ruins, sites, buildings, artifacts, fossils, or other objects of antiquity that may have significance from a historical or scientific standpoint. The Contractor shall particularly watch for cultural remains such as bone, fire cracked rock, shell or other artifacts during [fill in details].

Archaeological or historical objects, which may be encountered by the Contractor, shall not be further disturbed. The Contractor shall immediately notify the Engineer of any such finds.

The Engineer will contact the **State Historical Preservation Officer (SHPO)** who will determine if the material is to be salvaged. The Contractor may be required to stop work in the vicinity of the discovery until such determination is made. If the archaeologist determines that the material is to be salvaged, the Engineer may require the Contractor to stop work in the vicinity of the discovery until the salvage is accomplished.

Loss of time suffered by the Contractor due to resulting delays will be adjusted in accordance with Section 1-08.8.

07162.GR1 – Archaeological and Historical Objects (March 13, 1995)

Use in projects when reconnaissance studies indicate no specific areas of concern.

It is national and state policy to preserve, for public use, historical and prehistorical objects such as ruins, sites, buildings, artifacts, fossils, or other objects of antiquity that may have significance from a historical or scientific standpoint.

Archaeological or historical objects, which may be encountered by the Contractor, shall not be further disturbed. The Contractor shall immediately notify the Engineer of any such finds.

The Engineer will contact the **State Historical Preservation Officer (SHPO)** who will determine if the material is to be salvaged. The Contractor may be required to stop work in the vicinity of the discovery until such determination is made. If the archaeologist determines that the material is to be salvaged, the Engineer may require the Contractor to stop work in the vicinity of the discovery until the salvage is accomplished.

Loss of time suffered by the Contractor due to resulting delays will be adjusted in accordance with Section 1-08.8.

07163.GR1 – Archaeological and Paleontological Salvage (May 28, 1996)

Use in projects when reconnaissance studies indicate requirement for monitoring the project area during clearing, grubbing or excavation operations. Requires a pay item.

It is national and state policy to preserve, for public use, historical and prehistorical objects such as ruins, sites, buildings, artifacts, fossils, or other objects of antiquity that may have significance from an historical or scientific standpoint.

The project area potentially contains cultural resources. At the discretion of the Contracting Agency, clearing and grubbing operations will be monitored, and archaeological testing conducted, by the Contracting Agency's archaeologist consultant.

The Contractor shall notify the Engineer, in writing, at least ten days prior to the date the Contractor intends to begin clearing and grubbing operations.

The Contractor may be required to conduct clearing and grubbing operations in a manner that will reserve portions of the work area for testing and exploratory operations. Contract time lost, in the opinion of the Engineer, due to these operations will be adjusted in accordance with Section 1-08.8.

Added costs for modification of intended construction methods or for inefficiencies introduced by the use of a different sequence of work to reserve portions of the work area shall be incidental to other items of work.

Added work necessary to uncover, fence, dewater, or otherwise protect or assist in salvage as ordered by the Engineer shall be paid by force account as provided in Section 1-09.6.

To provide a common basis for all bidders, the Contracting Agency has entered an amount for the item "Archaeological and Paleontological Salvage" in the Proposal to become a part of the total bid by the Contractor.

Archaeological Resources Protection Act Permit Process on Federal Lands (Non-Tribal)

The Archaeological Resources Protection Act (ARPA) requires a permit for excavation or removal of archaeological resources from federal or Indian lands (43 CFR 7.6-7.11). Procedures for obtaining ARPA permits for work on federal lands include:

1. During the annual review, the Regions will identify potential projects crossing federal lands which may need ARPA permits.
2. When a Task Assignment Document (TAD) using the EAO On-Call Agreements is approved for the project, the Archaeological Consultant will complete an application for an ARPA permit and send it to the Region involved.
3. The Region will send the application to the federal agency having jurisdiction. Each agency will have its own internal process in granting permits, thus turnaround time for each application could be different.
4. Agencies will respond to the Region (not to the archaeological consultant) via a letter giving approval.
5. The Region will advise the archaeological consultant to proceed with the work.
6. The archaeological consultant will do surveys or reconnaissance, and, when the potential exists that a resource may be present, cultural resource testing. When testing indicates there is a resource present that the project will impact, data recovery may be recommended. A second ARPA permit may be required for data recovery, and the above process is repeated.

Archaeological Resources Protection Act Permit Process on Tribal Lands

ARPA permit process when Indian lands are involved in a WSDOT project.

1. During the annual archaeological review, the Regions will identify Indian lands needing ARPA permits.
2. When a project TAD is approved, the Archaeological Consultant will complete an application for an ARPA permit and send it to the Region involved.
3. The Region will determine which type of Tribal land is involved; Reservation Lands, Allotment Lands on the reservation, or Allotment Lands off the reservation. The Regions will then apply for the permit as follows:
 - a. Tribal Lands on the reservation:
 - 1) The Region will contact the U.S. Bureau of Indian Affairs (BIA) in Portland to see if the process could be shortened and not involve the Tribes.
 - 2) The Region will send an application to the Tribe, requesting a letter of approval. The Tribe should return the application to the Region.
 - 3) The Region will send Tribe-approved application to the BIA in Portland, requesting approval.
 - 4) The BIA will respond to the Region via a letter of approval.
 - 5) Region will advise the Archaeological Consultant to proceed with the work.
 - 6) The Archaeological Consultant will do surveys or reconnaissance and, when the potential exists that a resource may be present, cultural resource testing. When testing indicates there is a resource present that the project will impact, data recovery may be recommended. A second ARPA permit may be required for data recovery, and the above process is repeated.
 - b. Allotment Lands On the Reservation
 - 1) The Region will request the allottees' names from the BIA in Portland and/or the BIA office on the Tribal reservation. Contact the allottees, requesting written approval or disapproval of the archaeological project. Fifty-one percent of the allottees on each allotment involved in the project must approve of the archaeological project in order for the permit to be acquired. (Contact with the allottees should be done by the Region

Right-Of-Way Office as part of the normal right-of-way negotiation procedure. The Archaeological Consultant can assist in that effort as requested by the Region.)

- 2) After allottee approval is obtained, the Region will send an application to the Tribe requesting their approval since they also must agree to give the permit. (When the Tribe approves, they could add conditions.) The Tribe is requested to return the application to the Region.
- 3) Region will send the Tribe-approved application to BIA in Portland for approval.
- 4) The BIA will respond to the Region via letter of approval.
- 5) The Region will advise the Archaeological Consultant to proceed with the work.
- 6) The Archaeological Consultant will do surveys or reconnaissance, and, when the potential exists that a resource may be present, cultural resource testing. When testing indicates there is a resource present that the project will impact, data recovery may be recommended. A second ARPA permit may be required for data recovery, and the above process is repeated.

c. Allotment Lands Off the Reservation

- 1) The Region will request the allottees' names from the BIA in Portland and/or the BIA office on the Tribal reservation. Contact the allottees requesting written approval or disapproval of the archaeological project. Fifty-one percent of the allottees on each allotment involved in the project must approve of the archaeological project in order for the permit to be acquired. (Contact with the allottees should be done by the Region right of way as part of the normal right of way negotiation procedure. The Archaeological Consultant can assist in that effort as requested by the Region.)
- 2) The Region will send approved application to the BIA in Portland for approval.
- 3) The BIA will respond to the Region via letter of approval.
- 4) The Region will advise the Archaeological Consultant to proceed with the work.
- 5) The Archaeological Consultant will do surveys or reconnaissance, and, when the potential exists that a resource may be present, cultural resource testing. When testing indicates there is a resource present that the project will impact, then data recovery may be recommended. A second ARPA permit may be required for data recovery, and the above process is repeated.